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THE EDUCATION ACT, 1918

A HANDBOOK FOR THE USE OF ADMINISTRATORS, MEMBERS OF LOCAL EDUCATION AUTHORITIES, SCHOOL MANAGERS AND OTHERS INTERESTED IN EDUCATION, AS WELL AS FOR THE LEGAL PROFESSION, TO WHICH IS APPENDED THE COMPLETE TEXT OF THE ACT

BY

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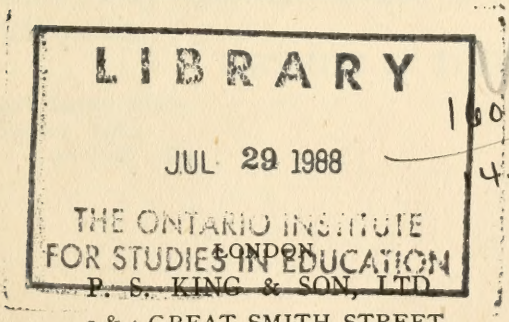
OF THE HONOURABLE SOCIETY OF THE INNER TEMPLE AND SOUTH WALES CIRCUIT, BARRISTER-AT-LAW



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LONDON
P. S. KING & SON, LTD.
2 & 4 GREAT SMITH STREET
WESTMINSTER
1919

PREFACE TO SECOND EDITION

SINCE the publication of the first edition of this book, the New Grant Regulations for Elementary Schools have been issued by the Board of Education. These are included in the present edition, with an explanatory chapter on the new system of grants. The new Regulations for Nursery Schools, the Draft Regulations for Secondary Schools, the Provisional Regulations for the payment of grants to Non-provided Special Schools and Evening Play Centres have been added, and the list of Appointed Days has been revised to the date of Publication.

ARTHUR A. THOMAS.

1, KING'S BENCH WALK,
TEMPLE, E.C.,
30th July, 1919.

PREFACE TO FIRST EDITION

THE Education Act of 1918, like its predecessor the Education Act of 1902, is superimposed on existing Acts, and, until a consolidating Act is passed, there will be considerable difficulty in construing and harmonising the very numerous statutes relating to education. Further, in the present Act, provisions relating to particular subjects are contained in widely scattered sections, thus increasing the difficulty of obtaining a complete view of the statutory enactments. An attempt has been made in this book to bring together such provisions under appropriate headings, whilst the full references given, in the text, to relevant sections in other Acts will, it is hoped, further facilitate the labours of those who have to consult or administer the Act.

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December, 1918.

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INTRODUCTION

THE Education Act of 1918 is one of the most significant and far-reaching of the war measures which necessity has imposed upon the nation. Its object is "the establishment of a national system of public education available for all persons capable of profiting thereby." It confers many new powers and imposes many new duties on the existing education authorities, and provides for the banding together of these authorities in federations, for the purpose of dealing with matters which can be more conveniently considered in relation to larger areas than those covered by the present authorities. It gives power to the authorities to provide nursery schools for children from the age of two years old; it imposes the duty of organising advanced instruction in elementary schools for children over the age of fourteen and of providing practical instruction in these schools or in central schools or classes; it requires the authorities to co-operate for the purposes of secondary education and for the purpose of supplying and training teachers. Beyond the

elementary courses, it is now the duty of the authorities to provide free continuation schools, supplying suitable instruction and physical training for all young persons in their areas, and the authorities may also provide holiday or school camps, physical training centres, playing fields, swimming baths and centres for social and physical training for young persons and persons over the age of eighteen attending any of the educational institutions. The authorities thus have powers for providing means for the physical, intellectual and moral training of citizens from the earliest to the latest age. Medical inspection and treatment may be extended to all educational institutes, and board and lodging may be provided near to a school for children living in remote areas. The age up to which a child must attend school will be raised, after the war, to fourteen, and an authority may extend this age to fifteen by bye-law, whilst, with the consent of the Board of Education, instruction may be continued to the age of sixteen or later, if the circumstances warrant such a course. After seven years from the appointed day, attendance at continuation schools will become compulsory on young persons between the ages of sixteen and eighteen subject to certain exceptions; in the meanwhile, young persons

up to the age of sixteen must, subject to exceptions, as from the appointed day, attend for three hundred and twenty hours in each year unless this number of hours is reduced by the authority. Further severe restrictions have been enacted with relation to the employment of children and young persons, and the employment of a child in a factory, workshop, mine or quarry as defined in the Act, is forbidden altogether except in the case of a child who was lawfully so employed on the appointed day.

Private schools, for the first time, are recognised as coming within the sphere of the administration of public education, and information with respect to such schools must be forwarded to the Board of Education within three months of the appointed day. Such schools may, if it is so desired, benefit by the medical inspection and treatment provided by the local education authority of the area, and may have the advantage of inspection by the Board of Education, and a report on such inspection free of charge to the governing body or headmaster. In non-provided schools, pupil-teachers and student-teachers are now to be appointed by the local education authority, and the managers of such schools may not close the school without giving eighteen months' notice to the local authority. Should the managers fail to carry

on the school for the prescribed period, the authority may carry it on in the school premises as a provided school. A local education authority may, with the approval of the Board of Education, give orders for the grouping of non-provided schools of the same denomination, and for the distribution of the children in such schools according to age, sex, or attainment.

It will be seen, from this outline of some of the changes effected by the Act, that new and increased duties of vast importance have been placed upon the local education authorities of the country; that these are now brought into possible relation with the whole of the educational activities of the nation, and that it is upon these authorities that the legislation depends to carry into effect the many reforms embodied in the Act.

THE EDUCATION ACT, 1918

CHAPTER I

LOCAL EDUCATION AUTHORITIES

Local Authorities, of all grades, from the parish meeting to the county council, were invested with duties under the Education Act of 1902. These authorities are difficult to classify, as in some cases powers and duties overlap. In practice, however, the reasonable spirit shown by the various authorities has resulted in a general smoothness of working and an absence of friction which reflect credit on all concerned.

Minor Local Authorities.

The minor local authorities include the council of any borough or urban district, a parish council, or, where there is no parish council, the parish meeting. [2 Edw. 7, c. 42, s. 24 (2).] The duty of a minor local authority, as such, is limited to appointing two managers on provided schools in county areas, and one manager on non-provided schools in such areas. [2 Edw. 7, c. 42, s. 6.] The term Minor Local Authority must be taken as only referring to particular

functions, for some of these authorities, such as the non-county borough council and the urban district council, have powers to spend such sums as they think fit up to the amount of a penny rate, in supplying or aiding the supply of higher education. [2 Edw. 7, c. 42, s. 3.]

Part II. and Part III. Authorities.

Part II. of the Education Act, 1902, dealt with higher education and Part III. of the Act with elementary education. The authorities for carrying out the work of Part II. are the county councils and the county borough councils ; but these councils are also the authorities for carrying on the work of Part III. of the Act within their areas, and classification is made still more difficult when it is remembered that the councils of non-county boroughs and urban district councils have, as has been pointed out, concurrent powers with the county council with respect to higher education. When, therefore, Part II. Authorities are referred to in this book it should be kept clearly in mind that the term means the authority in its function of dealing with higher education.

So with respect to Part III. of the Education Act, 1902. The county councils, county borough councils, non-county borough councils, with a population of over 10,000, and urban district

councils with a population of over 20,000, calculated in each case according to the census of 1901, are the authorities having powers under Part III. of the Act of 1902. When, therefore, Part III. Authorities are spoken of, the term refers to these councils in their function of carrying on elementary education. The new powers vested in the Board of Education under the present Act will, it may be hoped, help to straighten out the tangle of authorities and secure one authority in each area with definite and exclusive functions of its own.

Joint Committees.

Powers are given under the Act to enable councils to combine with other councils for the better organisation and carrying on of their duties. Joint committees of councils, or joint bodies of managers may be formed and to these joint bodies the councils concerned may delegate any of their powers and duties, except the power of raising a rate or borrowing money. [Sect. 6 (1).] And this power of combination is carried further by the powers given for the establishment of federations of local education authorities.

Federations.

Federations are combinations of local education authorities to be set up under schemes

made by the Board of Education on the application of two or more councils. They are intended to deal with matters of common interest which can be conveniently dealt with in larger areas. Higher education; the provision of scholarships; the training of teachers; provision for advanced technical work and research work, are some of the subjects which would properly fall within the provision of the federations; but the councils concerned may, if they wish, delegate the whole of their powers, except the power of raising a rate or borrowing money, to the federations. These bodies may easily become of the greatest importance in educational administration. They may be independent corporations and carry out the whole work of education over a very large area. [Sect. 6 (2).] Two-thirds of their members must be appointed by the councils and the remaining third may, if it is thought desirable, consist of teachers or other persons of experience in education and representatives of universities or other bodies. These may be added either by co-optation or by direct election by the persons or bodies concerned. [Sect. 6 (3).] The scheme constituting a federation may be modified or repealed by a further scheme and, where under an amending scheme a federation is discontinued, provision may be made in the scheme for dealing with its

property or liabilities. [Sect. 6 (4).] A considerable extension of the work of higher education is contemplated under these new arrangements, and the rate limit of twopence in the pound which was imposed by the Education Act, 1902 [2 Edw. 7, c. 42, s. 2 (1)] on expenditure for education other than elementary has been repealed. [Sect. 7.]

CHAPTER II

SCHEMES

It is the evident intention of the Act to throw much greater responsibility for the whole work of education on the local authorities either singly or in combination. The Board of Education will henceforth be more of an advisory body and less of a meticulously assessing body than in the past. The local authorities must, in the first instance, prepare a series of schemes dealing with the various phases of their work and submit them to the Board for approval. The method of payment of grants has been greatly simplified [sect. 44], and the Board of Education having a very free hand in the matter, will no doubt be chiefly concerned in securing in the first instance that proper schemes are framed, and later, in seeing that these schemes are properly carried out.

Taking the various schemes as they are dealt with in the Act, they may conveniently be considered under the following heads :—

1. General Scheme.

The submission of a general scheme to the Board of Education is not in form compulsory; but as the Board have power to insist upon its production, it will in practice be necessary for each council of a county or of a county borough to prepare and submit such a scheme. This scheme must show the manner in which the authority propose to use their powers and perform their duties with respect to the progressive development and comprehensive organisation of education in their area. The scheme must indicate which powers, if any, are to be exercised separately and how far other authorities are to co-operate in the work. [Sect. 1.]

Before submitting this scheme or apparently any scheme, to the Board, the council of a county must consult the other authorities within the county, that is, if there are any authorities having separate powers to deal with elementary education (Part III., Authorities under the Act of 1902), with a view to securing the co-operation of such authorities in the general work. The county authority must, with the scheme, submit a report showing how, and to what extent, such co-operation is anticipated, and the Part III. Authorities concerned may also submit their views on the matter to the Board and to the Council. [Sect. 4 (1).] The views

of parents and other persons and bodies interested are also to be ascertained, and steps must be taken to afford an opportunity to such persons to express their wishes, and publicity must be given to the proposals to be submitted to the Board. This regulation applies to all schemes under the Act whether submitted by a county council or any other local authority. [Sect. 4 (2).] In all cases also a local authority must, in preparing any scheme, have regard to existing schools and colleges not provided by them and to any proposed provision of such schools or colleges. [Sect. 4 (3).] In all schemes provision is to be made for free education in all branches for those capable of profiting thereby, but who are unable to pay fees. [Sect. 4 (4).]

An authority may submit and the Board approve an interim, provisional, or amending scheme, and, when approved, it becomes the duty of the authority to carry the scheme into effect. [Sect. 5 (1).] In the event of the Board not agreeing with a scheme submitted, the Board will offer to hold a conference with the authority on the points in dispute, and if the authority desire it the Board must hold a public inquiry into the whole matter. [Sect. 5 (2).] Should the Board and the authority still differ as to the scheme, the Board may lay the matter before Parliament with a report stating the

reasons for the Board's disapproval together with the report of the public inquiry. The Board will also report to Parliament the punitive action they intend to take by reducing or withholding grants. [Sect. 5 (3).]

2. Schemes of Part III. Authorities.

The Part III. Authorities must make provision under the Act for practical instruction and advanced instruction in the elementary schools of which they have charge, particularly for those children who remain in school beyond the age of fourteen. The practical instruction may be given either at central schools, or at central or special classes, or in the schools concerned; the advanced instruction must, however, be given in the schools themselves. These authorities must also make provision or secure that provision is made for the medical inspection of children immediately before, or at the time of, or as soon as possible after their admission to their schools, and on such other occasions as the Board of Education may direct. [Sect. 2 (1) (*c*) and 7 Edw. 7, c. 43, s. 13 (1) (*b*).] It is also the duty of the Part III. Authorities to co-operate with the higher education authority for their area with respect to the preparation of children for further education in places of higher educa-

tion and with respect to the supply and training of teachers. [Sect. 2 (1) (*c*).]

3. Schemes with respect to Continuation Schools.

Part II. Authorities, either separately or in co-operation with other local authorities, are required to establish and maintain a sufficient supply of continuation schools, with suitable courses of study, instruction, and physical training, free of cost, for all young persons in their area who are under a statutory obligation to attend such schools. [Sect. 3 (1).] Schemes are to be prepared providing for the progressive organisation of a system of these continuation schools, and for securing the general and regular attendance of the pupils. Authorities are required to consider the advisability of securing the co-operation of the universities in providing lectures and classes. [Sect. 3 (2).] If practicable, managers representing the Part III. Authorities in the area are to be included in the governing body of the continuation schools. [Sect. 3 (3).]

4. Schemes for Federations of Local Authorities.

Two or more local authorities may apply to the Board of Education for a scheme which will provide for a new federated corporate body for the purpose of the administration of education. [Sect. 6 (2).] The federations are to deal with

educational matters which are more conveniently dealt with in areas larger than the area of a single authority. [Sect. 6 (2).] No council may be included in such a federation without its own consent, and a council may retire from a federation unless the scheme provides otherwise. [Sect. 6 (2).] Two-thirds at least of the members of the federation must be appointed by councils having powers under the Education Acts, and the inclusion of teachers or other persons of experience in education, and of representatives of universities or other bodies may be provided for. [Sect. 6 (3).] A scheme of federation issued by the Board may be modified or repealed by a further scheme on the application of one or more councils, and on the discontinuance of a federation provision may be made for dealing with its property and liabilities. [Sect. 6 (4).] It is to be noted that all the powers of the councils included in the federation may be delegated to the federation in the same manner as to a joint committee or joint body of managers set up by scheme, with the same exception as to the power of raising a rate or borrowing money. [Sect. 6 (1).]

CHAPTER III

SCHOOL ATTENDANCE

NURSERY SCHOOLS—ORDINARY DAY SCHOOLS—CONTINUATION SCHOOLS

1. Nursery Schools.

Local authorities have powers under the Act to supply or aid the supply of nursery schools for children between the ages of two and five [sect. 19 (1) (*a*)], but attendance at such schools is not made compulsory. The age of attendance at these schools may be raised beyond the age of five with the consent of the Board of Education. [*Ibid.*]

2. Ordinary Schools.

All children will be required, after the war, to attend school between the ages of five and fourteen. [Sect. 8 (1), sect. 52 (3) and sect. 4 of the Education Act, 1870 (39 & 40 Vict. c. 79, s. 4).] It will be the duty of a parent to cause his child to attend school between those ages, and no exemption from attendance is to be allowed. Sect. 8 (1).] In cases where bye-laws which have

been made providing for the exemption of children from school attendance between these ages such bye-laws will cease to have effect, and in all bye-laws the age of fourteen will become the minimum age for compulsory attendance at ordinary schools. [Sect. 8 (1).] A child is not to be deemed to be fourteen years of age until the end of the school term in which he reaches that age. [Sect. 9 (1).] This provision is intended to prevent children leaving school during a school term. Similarly, a child is not to be deemed to have attained the lower age for admission until the end of the school term. [*Ibid.*] Local authorities may, however, after the war [sect. 52 (3)] extend the age of compulsion by another year, as they are given power to substitute fifteen for fourteen. [Sect. 8 (2).] Such extended period may be made applicable to all children in the area or to children not engaged in any specified occupations. [Sect. 8 (2).] When such an extension is provided the local authority may exempt such individual children as they think fit, from the obligation to attend, between the ages of fourteen and fifteen. [Sect. 8 (2).]

On the other hand a local authority may by bye-law provide that no child may be required to attend school before the age of six [sect. 8 (4)], but the consent of the Board of

Education must first be obtained. In considering this matter the Board of Education must have regard to the provision of nursery schools in the area, and must also hold a public inquiry into the question, if ten parents of children attending public elementary schools in the area request this to be done. [Sect. 8 (4).]

When proceedings are taken against parents for not causing a child to attend school and the parent pleads that the child is in fact attending some school or institution, the defence will fail unless such school or institution is open to inspection by the local education authority, or the Board of Education, and unless satisfactory registers of attendance are kept at the school or institution. [Sect. 8 (3).]

Beyond the age of fifteen local authorities may, with the consent of the Board of Education, provide instruction in elementary schools for another year or more. When such a course is adopted the authority must make proper provision for practical instruction in central schools or classes, or in the elementary school, and must organise courses of advanced instruction for the older children as provided in sect. 2 (1) (*a*) of the Act, and must also co-operate with the Part II. Authority in the area with respect to the further education of the children. [Sect. 8 (5).]

Litigation has arisen on the question as to

whether a child can be required to attend classes outside the school premises. All doubt is now set at rest by the provisions of sect. 8 (6), which gives power to a local authority to direct that children shall attend any class whether held on the school premises or not, and this power extends to non-provided as well as provided schools. In the case of children attending the former class of schools, reasonable facilities must be approved to allow the child to attend religious instruction lessons in his own school. Under the Act of 1876 it was provided (by sect. 11) that if there was no public elementary schools within two miles of the residence of a child this was to be regarded as a reasonable excuse for non-attendance. This provision has been amended and power is now given to local authorities to prescribe, by bye-laws, the distance between a child's home and the nearest school which is to be taken as exempting a child from attendance. [Sect. 8 (7).] Where an authority provides a conveyance to take children to and from school such children may be required to attend irrespective of distance. [7 Edw. 7, c. 43, s. 14 (1).]

Blind and deaf children and defective and epileptic children to whom special provisions apply under the Blind and Deaf Children Act, 1893 [56 & 57 Vict. c. 42] and the Elementary

Education (Defective and Epileptic Children Acts, 1899 to 1914) are not affected by the present amendment and such children will continue to be subject to the Acts mentioned, with respect to attendance at school.

A local authority may refuse admission to any child, whether with respect to an elementary school, or a certified school for blind, deaf, defective, or epileptic children, during any school term. Regulations providing for admission at the commencement of a term only may be made by an authority subject to the approval of the Board of Education. [Sect. 9 (2).]

Continuation Schools.

The full intention of the Act is to ensure attendance at continuation schools of all young persons up to the age of eighteen ; but for seven years after the appointed day the age is to be limited to sixteen. [Sect. 10 (1) (*a*).] The full attendance is to be three hundred and twenty hours in each year ; but a local education authority may reduce this number to two hundred and eighty for seven years after the appointed day. [Sect. 10 (1) and sect. 10 (1) (*b*).] There are certain exemptions to the statute. Thus a young person who is above the age of fourteen on the appointed day is exempt. [Sect. 10 (2) (ii.).] So is a young person who

has satisfactorily completed a course of training for sea service and is engaged in the sea service in accordance with a proposed scheme of training seamen. Until such a scheme is established the Board of Education may approve an interim scheme for the purpose. [Sect. 10 (2) (ii.).] A young person who has passed the matriculation examination of one of the universities of the United Kingdom, or an examination recognised by the Board of Education as an equivalent is also exempt. [Sect. 10 (2) (iii.) (*a*).] Further, a young person who has, up to the age of sixteen, been under full time instruction in a school recognised by the Board of Education as efficient, or has been under efficient and full time instruction in some other manner, will be exempt from the provisions as to compulsory attendance. [Sect. 10 (2) (iii.) (*b*).] If, however, any of these young persons informs a local education authority in writing that he desires to attend a continuation school and the authority prescribes the school to be attended, then the exemption ceases and the student becomes amenable to the ordinary law. [Sect. 10 (2) (iii.).]

Alternatives to Attendance at Continuation Schools.

A young person who is attending for full time a school, other than a continuation school, which is recognised by the Board of Education

as efficient will not be required to attend a continuation school [sect. 10 (3) (i.)], and the local education authority may accept attendance under suitable and efficient instruction, for a number of hours equal to the number prescribed for attendance at a continuation school, as equivalent to attendance at such a school. [Sect. 10 (3) (ii.).]

A school supplying secondary education which is inspected by a British University, or in Wales and Monmouthshire by the Central Welsh Board, is to be regarded as a school recognised by the Board of Education, provided that the inspection is carried out under regulations made by the inspecting body after consultation with the Board of Education ; and that the reports of the inspecting body are satisfactory. [Sect. 10 (4).] If any dispute arises as to whether any young person is under an obligation to attend a continuation school or as to his right to exemption, the Board of Education are empowered to consider the matter and make an order in accordance with their decision. [Sect. 10 (5).] The Board may, however, refuse to consider whether instruction in any school satisfies the conditions of the section, if such school is not open to inspection by the local education authority or by the Board. [Sect. 10 (5).]

The Duty of Employers.

Employers must make arrangements which will enable young persons to attend the continuation school as required by the Act and by the local education authority. If any employer employs a young person in such a manner as to prevent his attendance at a continuation school, or at a time when, under the directions of the local education authority, employment should be suspended, this will be an offence under the Employment of Children Act, 1903.

A local education authority may require that the employment of a young person shall be suspended on any day when he should be in attendance at a continuation school for the period of attendance, and an additional period not exceeding two hours a day so as to secure that he is in a fit mental and bodily condition to receive full benefit from his attendance at school. If a dispute arises as to whether any such requirement is reasonable or not, the question is to be determined by the Board of Education. [Sect. 10 (6).] No Sunday attendance is to be required, nor attendance on any day set apart exclusively for religious observance by the religious body to which a young person belongs, nor on any holiday or half-holiday provided by an enactment regulating his employment, or provided for in his agreement of service, nor,

so far as practicable, on any customary holiday or half-holiday in his employment, nor between the hours of seven in the evening and eight in the morning ; but in the case of young persons employed at night or at other abnormal times, the local authority may vary these hours with the approval of the Board of Education. [Sect. 10 (7).]

Continuation schools may be established at, or in connection with, the place of employment ; but a young person is not to be required to attend such schools unless with his own consent, and such consent may be withdrawn by a month's notice in writing given by the young person to the employer and to the local authority. Such schools must be open to inspection by the Board of Education or by the local authority, whichever is preferred by the persons carrying on the school. [Sect. 10 (8).]

So far as practicable, a young person, or his parent if he is under sixteen, is to have a choice as to the school which he is to attend, and if any young person or his parent, if he is under sixteen, represents to the authority that any part of the instruction in the school he attends is contrary or offensive to his religious belief, the authority shall exempt him from attendance at such instruction, and in lieu thereof arrangements are to be made, if practicable, for him to attend

at some other instruction, or at some other school. [Sect. 10 (9).]

Penalties.

The compulsory attendance at a continuation school may be enforced by proceedings under the Act, and on summary conviction a fine of not exceeding five shillings for the first offence and not exceeding one pound for a second or subsequent offence may be inflicted on a young person failing to attend [sect. 11 (1)], and a fine of not exceeding two pounds for a first offence and not exceeding five pounds for a second or subsequent offence may be inflicted on a parent of a young person who has conduced to, or connived at the failure of a young person to attend as required. [Sect. 11 (2).] If an order has been made against such person under the Children Act, 1908 [8 Edw. 7, c. 67, s. 99], no further proceedings are to be taken under the present Act. [Sect. 11 (2).] The Board of Education may make regulations prescribing the manner and form in which notice is to be given as to the continuation school which a young person is required to attend, and as to times of attendance and the hours during which employment must be suspended. The Board may also make regulations as to the issue of certificates of age, attendance and exemption and for the keeping

and preservation of registers and other necessary matters. [Sect. 12 (1).] Powers are given to Part III. Local Education Authorities to prosecute any person who is guilty of an offence against a child or young person as provided in the Children Act, 1908 [8 Edw. 7, c. 67, s. 12], and to pay any expenses incidental to the prosecution. [8 & 9 Geo. 5, c. 39, s. 39.] The provisions of the Education Acts, 1870, 1873, and 1876 with reference to the enforcement of the Education Acts and bye-laws are extended so as to apply to young persons and continuation schools [sect. 50], and the operative sections are set out in the first schedule of the Act.

CHAPTER IV

EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

RESTRICTIONS on the employment of young children and young persons have been made very much more stringent and the ages of employment has been materially raised under the Act. Thus a child under the age of twelve cannot be employed in any capacity [sect. 13 (1) (i.)], that is to say cannot be employed in any labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or to some other person. [Sect. 48 (2).] A child of the age of twelve or upwards is not to be employed on Sunday for more than two hours, nor normally on school days before the close of school, nor on any day before six o'clock in the morning or after eight o'clock at night. [Sect. 13 (1).] A local education authority may, however, make bye-laws with reference to specified occupations, subject to such conditions as may be necessary to safeguard the interests of the children, permitting

the employment of children of the age of twelve years and upwards before school hours and the employment of children by their parents ; but such employment, if allowed before nine o'clock in the morning must be limited to one hour, and a child so employed must not be employed for more than one hour in the afternoon. [Sect. 13 (1) (i.).] The Employment of Children Act, 1903 (3 Edw. 7, c. 45), is amended to this extent and the sub-section of that Act prohibiting the employment of children under the age of eleven in street trading [3 Edw. 7, c. 45, s. 3 (2)] is amended by the deletion of the words "under the age of eleven years."

Local Authorities.

The authorities charged with the duty of seeing that the provisions of the Employment of Children Act are carried out are, in the case of the City of London, the common council, elsewhere the local education authorities for the purposes of Part III. of the Education Act, 1902. [Sect. 13 (1) (iii.), and sect. 13 (1) (iv.).] The expenses now become part of the expenses under the Education Acts. [Sect. 13 (1) (iii.).] Sects. 12 and 13 of the Employment of Children Act, 1903, have been amended accordingly.

Child Performers

The Prevention of Cruelty to Children Act,

1904 [4 Edw. 7, c. 15], which regulates the employment of children at entertainments has been so amended as to restrict further the employment of boys under the age of fourteen in any street or in premises licensed for the sale of intoxicating liquor (except premises licensed for public entertainments) for the purpose of singing, playing, performing, offering anything for sale, or for being exhibited between eight o'clock at night (instead of nine o'clock) and six in the morning. [8 & 9 Geo. 5, c. 39, s. 13 (2) (i.).] Under the first-mentioned Act the employment of children under the age of eleven was forbidden in any street, in premises licensed for the sale of intoxicating liquor or for public entertainments, or in any circus or other place of amusement to which the public are admitted by payment, for the purpose of singing, playing, or performing, or being exhibited, or offering anything for sale. The age of eleven has been raised to twelve. [Sect. 13 (2) (ii.).]

A licence may be granted by the Part III. Local Education Authority for children over the age of twelve years [sect. 13 (2) (iii.)] to take part in any entertainment or series of entertainments to take place in premises licensed according to law for public entertainments, or in any circus or place of public amusement, or to be trained for performances. The licence will be

subject to such restrictions and conditions as are prescribed by rules made by the Board of Education, and may be rescinded by the local education authority, if the conditions and restrictions of the licence are not observed. [Sect. 13 (2) (iv.).] For three years after the passing of the Act, however, licensing is allowed from the age of ten. [Sect. 52.]

The holder of the licence must give seven days' notice to the local education authority before a child takes part in any performance in the area, and must furnish the particulars of the licence and such other information as the Board of Education may by rules prescribe. If he fails to do so he is liable, on summary conviction, to a fine not exceeding five pounds. [Sect. 13 (2) (v.).] Notice to the chief officer of police which was formerly required is no longer necessary in connection with children performing at entertainments [sect. 13 (2) (vi.)], as the whole supervision is now conferred on the local education authority. Any one dissatisfied with decisions of the authority in the matter may appeal to the Board of Education. [Sect. 13 (2) (vii.).]

Child Labour in Factories and Workshops.

The employment of children is not permitted in any factory or workshop to which the Factory and Workshop Acts, 1901 to 1911 apply, nor in

any mine to which the Coal Mines Act, 1911 applies, nor in any mine or quarry to which the Metalliferous Mines Acts, 1872 and 1875 apply. [Sect. 14.] It should be noted that the Metalliferous Mines Acts apply to all mines other than those governed by the Coal Mines Regulation Act.

Prohibition of Employment of Children in Certain Cases.

In addition to the restrictions contained in this, and other Acts, with reference to the employment of children, a further restriction may be imposed by the local education authority. If the authority are satisfied either by a report of the school medical officer or in any other manner, that any child is being employed in such a way as to be prejudicial to his health or physical development, or that the employment unfits him for obtaining the proper benefit from his education, the authority may prohibit his employment altogether or attach such conditions to his employment as they think fit. [Sect. 15 (1).]

Information as to Employment.

Parents and employers are required to furnish to the local education authority such information with reference to a child's employment as the authority may require, and any one failing to give such information or giving false information is liable, on summary conviction, to a fine not exceeding forty shillings. [Sect. 15 (2).]

Illegal Employment of Children and Young Persons.

Offenders against the provisions of the Act with reference to employment will be liable to the penalties imposed by the provisions of the Employment of Children Act, 1903. [Sect. 16.] It is an offence to employ a child in such a manner as to prevent him from attending school according to the Education Acts and the bye-laws made thereunder [sect. 16 (*a*)], or to employ a child after notice in contravention of a prohibition or restriction imposed by a local education authority [sect. 16 (*b*)], or to employ a young person in such a manner as to prevent him attending a continuation school which he is required to attend under the Act [sect. 16 (*c*)], or to employ a young person at any time when the local education authority have required that his employment should be suspended. [Sect. 16 (*d*).] In the case of an employer a fine not exceeding forty shillings for a first offence and a fine not exceeding five pounds for a second or subsequent offence may be imposed on summary conviction. [Employment of Children Act, 1903 (3 Edw. 7, c. 45, s. 5 (1) and (2)).] A parent who, by wilful default or habitual neglect, has conduced to the offence may be subject to the same penalties as if he were an employer. [3 Edw. 7, c. 45, s. 5 (2) and 8 & 9 Geo. 5, c. 39, s. 16 (*d*).]

CHAPTER V

NEW POWERS AND DUTIES

MANY important new powers and duties are conferred or imposed upon local education authorities under the Act. A local authority may now make provision for holiday or school camps, especially for young persons attending continuation schools [sect. 17 (*a*)], and may provide centres and equipment for physical training and playing fields, school baths, including swimming baths [sect. 17 (*b*)] and other facilities for social and physical training either in the day or in the evening. [Sect. 17 (*c*).] These amenities are to be provided by Part III. Authorities for children attending elementary schools, and by Part II. Authorities for young persons [sect. 17]. It is to be noted that provision may be made for all persons attending educational institutions irrespective of any age limit. [Sect. 17.]

Medical Inspection and Treatment.

The duty to provide medical inspection with the power to provide treatment is extended

so as to enable Part II. Authorities to deal with children and young persons attending any school or educational institution other than in an elementary school, including secondary schools provided by them [sect. 18 (1) (i.)]; any school under the Welsh Intermediate Education Act, 1889, to which payments are made out of any fund administered by a local education authority as a governing body under that Act; and any school of which a local education authority is the governing body under that Act. [Sect. 18 (1) (ii.).] Continuation schools under the direction and control of an authority come under the provisions relating to medical inspection and treatment [sect. 18 (1) (iii.)], and such other schools or educational institutions provided by an authority (not being elementary schools) as the Board of Education direct. [Sect. 18 (1) (iv.).] Further, an authority may exercise its powers with respect to any school if requested to do so by the persons having the management of the school. [Sect. 18 (1) (iv.).] The powers and duties with reference to medical inspection are those contained in sect. 13 (1) (*b*) of the Education (Administrative Provisions) Act, 1907 (7 Edw. 7, c. 43). Under this section a child must be medically examined immediately before being admitted to a school, or at the time of admission,

or as soon after as may be. Further inspections are to be made as directed by the Board of Education, and an authority may make such arrangements for attending to the health and physical condition of the children as the Board of Education may sanction. Local education authorities may encourage and assist any voluntary agencies in this work. If an authority should provide medical treatment for a child, the cost is to be charged to the parent unless the authority determine otherwise. [Local Authorities (Medical Treatment) Act, 1909, s. 1 (9 Edw. 7, c. 13).] In making provision for medical treatment an authority must consider how far the services of private medical practitioners may be utilised, and a general domiciliary service is forbidden. [Education Act, 1918, s. 25 (8 & 9 Geo. 5, c. 39).]

Nursery Schools.

Authorities under Part III. of the Act of 1902 are given the power of providing nursery schools and nursery classes for children over the age of two years. The children are to remain at these schools up to the age of five, or to a later age if the Board of Education approve. The schools are to be established for those children whose physical and mental development would be benefited by attendance.

[Sect. 19 (1) (*a*).] Power is also given to authorities to make arrangements for attending to the health, nourishment and physical welfare of the children attending. [Sect. 19 (1) (*b*).] Grants may be paid by the Board of Education in aid of the schools; but in the case of schools not provided by the authority, not unless the school is open to inspection by the local education authority. The authorities are to appoint at least one-third of the managers in non-provided nursery schools, and, before recognising such a school, the Board of Education must consult the local authority. [Sect. 19 (2).]

Defective and Epileptic Children.

Physically defective and epileptic children are now to be registered, and it becomes the duty of the authorities to deal with such children under the Elementary Education (Defective and Epileptic Children) Acts, 1899 to 1914 (62 & 63 Vict. c. 32 and 4 & 5 Geo. 5, c. 45). [8 & 9 Geo. 5, c. 39, s. 20.]

Boarding out Children.

In cases where, owing to the remoteness of their homes, or for other reasons, children are not able to take advantage of the ordinary educational provision the local education

authority may provide board and lodging for such children, and may enter into an agreement with the parents for the purpose. If the parents desire it, arrangements are to be made, if possible, for the child to board with a person of the same religious persuasion as its parents. [Sect. 21.]

Extension of Age.

Under the Education (Choice of Employment) Act, 1900 (10 Edw. 7 and 1 Geo. 5, c. 37), Part II. Authorities were given powers to assist boys and girls under the age of seventeen with respect to the choice of suitable employment, by means of the collection and communication of information and the furnishing of advice. [10 Edw. 7 and 1 Geo. 5, c. 37, s. 1 (1).] The age up to which such assistance may be given is now raised to eighteen. [8 & 9 Geo. 5, c. 39, s. 22.]

Research.

A new power is given to Part II. Local Authorities to promote the efficiency of teaching and advanced study, by aiding teachers and students to carry on any investigation for the advancement of learning or research in connection with any educational institution, and

grants may be made by the authority to any such institution with the object of aiding such work. [Sect. 23.]

Maintenance Allowance.

Part II. Authorities were empowered by the Education Act of 1902 (2 Edw. 7, c. 42, s. 23 (2)) to provide scholarships for students resident in their area and by the Education (Administrative Provisions) Act, 1907 (7 Edw. 7, c. 43, s. 11), to grant scholarships and bursaries to pupils in elementary schools. It is now declared that these powers include the power to provide maintenance allowances for the selected pupils or students. [8 & 9 Geo. 5, c. 39, s. 24.]

CHAPTER VI

PRIVATE SCHOOLS

PRIVATE schools and other schools not receiving grants from the Board of Education have been brought to some considerable extent within the purview of the Act. New duties are imposed upon the governors or proprietors of such schools, and valuable privileges have been extended to those schools desirous of profiting by them.

Within three months of the appointed day the secretary of the governors, or if there are no governors, then the headmaster or other person responsible for the management of the school, must forward, on a form prescribed by the Board of Education, a statement to the Board giving the name and address of the school and a short description of its work, character and such other particulars as may be required, and such further particulars as the Board may deem necessary from time to time. A new school, opening after the appointed day, must forward the necessary particulars within three months of the opening. In cases where the informa-

tion required is already in the possession of the Board or is otherwise available, the Board may exempt the school from the obligation to furnish information. Penalties up to ten pounds may be imposed on persons failing to supply the information required. The regulations made by the Board with reference to the particulars to be furnished with respect to the schools are to be laid before Parliament as soon as may be after they are made. [Sect. 28.]

Attendance at Private School.

Attendance at private schools is inferentially recognised as fulfilling the obligations of attendance at school under the Acts. It is laid down that where a child is attending a school or institution affording elementary education, such attendance is not to be regarded as a defence to proceedings against a parent for not causing his child to attend school unless the school is open to inspection by the local education authority or by the Board of Education. [Sect. 8 (3).] Incidentally this provision will necessitate the keeping of registers of attendance in all private schools in future. Where a school supplies secondary education, and is inspected by a British University, or in Wales or Monmouthshire by the Central Welsh Board, under regulations made by the inspecting body

after consulting the Board of Education, attendance at such a school will be recognised as fulfilling the requirements of the Act with respect to the attendance of a young person at a continuation school. The reports of the inspecting body to the Board of Education must, to ensure this recognition, be of a satisfactory character. [Sect. 10 (4).] In case of a dispute as to whether a school is giving such instruction as exempts a young person from attending a continuation school, the question is to be settled by the Board of Education; but the Board may refuse to consider the matter unless the Board or the local education authority are permitted to inspect the school. [Sect. 10 (5).]

Private Schools to be considered by Local Education Authorities.

When local education authorities are preparing schemes for supplying continuation schools in their area, they must consider any representations made to them by parents or other persons or bodies interested in the matter. Steps must be taken by the authorities to make their proposals public [sect. 4 (2)], and in considering their scheme, they must have regard to any existing efficient and suitable schools and colleges, and to any proposals to provide such schools or colleges. [Sect. 4 (3).]

Right of Private Schools to claim Inspection.

Any school and educational institution may request the Board of Education to inspect the school, and the Board of Education may do so free of cost and make a report thereon. [Sect. 27.] This provision is an important one, as attendance at private schools will only fulfil the requirements of the Act allowing attendance at such schools, as equivalent to attendance at continuation schools, in cases where the school is inspected by the Board of Education or some other responsible authority. [Sects. 8 (3), 10 (4), (5).] The powers of the Central Welsh Board as the proper organisation for the inspection of schools established under the Welsh Intermediate Act, 1899 (62 & 63 Vict. c. 33), are specifically preserved. [Sect. 27.]

Private schools may thus be inspected by any British University [sect. 10 (4)], by the local education authority [sect. 10 (5)], or by the Board of Education [sect. 27], and be thus certified as giving suitable and efficient instruction to young persons. The Board of Education have their own staff of inspectors for secondary schools, and the advantage of having the services of these officers placed at the disposal of a school is obvious. The application for the free inspection must be made by the governing body

of the school, or if there is no such body then by the headmaster. [Sect. 27.]

Medical Inspection and Treatment in Private Schools.

The medical inspection of school children is now so greatly valued, that the extension of this work was to be expected. In public elementary schools authorities have since 1908 had the powers necessary for providing medical inspection of children immediately before their admission to school, or as soon after as possible, and the authorities were required to provide for such further inspections as the Board of Education directed. The authorities were also required to make such arrangements for attending to the health and physical condition of the children as the Board of Education directed. [Education (Administrative Provisions) Act, 1907 (7 Edw. 7, c. 43, s. 13 (1) (*b*)).]

The whole of these provisions are applied to secondary schools provided by the authorities, to schools established under the Welsh Intermediate Education Act, 1899, in cases where the authorities have certain powers, to continuation schools under the direction and control of the authorities, and to such other schools or institutions, other than elementary schools, provided by them as the Board of Education may direct. In addition to this the local authorities have

power to extend to private schools the whole of the advantages of medical inspection and treatment if requested to do so by the persons having the management of the school. [Sect. 18 (1).]

The cost of medical treatment as distinguished from medical inspection may be imposed upon the parent of any child to whom such treatment is given. [Sect. 18 (2).] The medical inspection by the authority appears to be afforded free of cost to the school, and in private schools medical treatment will doubtless continue in the hands of the child's own medical attendant.

Research Work in Private Institutions.

The Act gives power to local education authorities to aid teachers and students to carry on any investigation of learning or research in connection with any educational institution. [Sect. 23.] The institution may be of a public or private character, and if an authority considers it necessary a grant may be paid to the institution for the purposes of aiding the research work done. [Sect. 23.]

CHAPTER VII

NON-PROVIDED SCHOOLS

THE Act is not to affect the provisions of the Education Acts with reference to public elementary schools not provided by local education authorities except when such schools are expressly mentioned. The chief alterations are dealt with below.

Appointment of Teachers.

All teachers of secular subjects not attached to the staff of any particular non-provided school, teachers appointed for the purpose of giving practical instruction, pupil-teachers and student-teachers, are to be appointed by the local education authority direct, and not by the managers. [Sect. 29 (1).] "Practical instruction" means instruction in cookery, laundry-work, housewifery, dairywork, handicrafts, gardening and such other subjects as the Board of Education declare to be subjects of practical instruction. [Sect. 48 (1).]

The local education authority are given powers to direct the managers of a non-provided school

to make arrangements for the admission to the schools of any such teachers as the authority may appoint. [Sect. 29 (1).] If any dispute arises in connection with any matter referred to in the section, the managers may appeal to the Board of Education in accordance with the provisions of the Education Act, 1902 (2 Edw. 7, c. 42, s. 7 (3)).

Closing of Schools.

If the managers of a non-provided school wish to close the school, they must give eighteen months' notice to the local education authority of their intention, and this notice may not be withdrawn without the consent of the authority. [Sect. 30 (1).] If the managers cannot carry on the school up to the expiration of the notice period, the local education authority are to have the use of the school-house free of charge for the purpose of carrying on a provided school. In that case, the authority must keep the school-house in repair and pay any necessary outgoings. They must further allow the use of the school-house and school furniture to the persons who were managers, out of school hours, to the same extent and subject to the same conditions as before. This use of a non-provided school-house for provided school purposes is not to be regarded as the provision of a new school with respect to

sect. 8 of the Education Act, 1902. [Sect. 30 (2).] The section referred to deals with the provision of new schools, and transfers to or from a local education authority, and requires public notice to be given of the intended provision, and provides a means of objection and appeal to the Board of Education. [2 Edw. 7, c. 42, s. 8.]

None of these requirements need be observed when a school is used by a local education authority under the provisions of the Act. [Sect. 30 (2).]

Grouping of Non-Provided Schools.

Where, for the purpose of educational efficiency and economy, a local education authority so desire, they may, with the approval of the Board of Education, give directions for the distribution of the children in two or more schools, of the same denominational character, according to age, sex or attainments and otherwise with respect to the organisation of the schools. [Sect. 31.] Thus if, for example, three mixed schools are grouped, one school may be reserved for boys only, one for girls, and one for infants. This course was not permissible under the Act of 1902, and the matter was the subject of litigation, when it was held that an authority had no power under that Act to give directions with respect to the distribution of children in

non-provided schools. [*Wilford and Others* v. *West Riding C.C.* [1908] 1 K. B. 685; 98 L. T. R. 670; 24 T. L. R. 286.]

Managers of Non-Provided Schools.

In cases where non-provided schools are grouped, the local education authority may, with the consent of the Board of Education, give directions for the grouping of the schools under one body of managers. The body of managers is to be constituted as provided by 2 Edw. 7, c. 42, s. 12 (2), that is, by agreement between the bodies of managers of the schools concerned and the local education authority or in default of agreement by the Board of Education. [Sect. 31.] If the Board of Education have to determine the matter they must observe the principles and proportions prescribed by the Education Act, 1902 (2 Edw. 7, c. 42, ss. 6 and 11). These sections provide that the body of managers of a non-provided school shall consist of a number of foundation managers not exceeding four, and two other managers. If the local education authority are the council of a county, one is to be appointed by the county council and one by the minor local authority. If the local education authority are the council of a borough or urban district, both are to be appointed by the council. When

schools are grouped the total number of managers may be increased; but the same proportions must be observed. [2 Edw. 7, c. 42, s. 6 (2), (3).] The foundation managers are managers appointed under the Trust Deed. If there is no Trust Deed, the Board of Education have power to make an Order to meet the needs of the case. In making such an Order, the Board of Education must have regard to the ownership of the school buildings and to the principles on which the education given in the school has been conducted in the past. [2 Edw. 7, c. 42, s. 11.]

An exception is made as to the management of schools which, in the opinion of the Board of Education, are organised for the sole purpose of giving advanced instruction to older children. These are to be managed in the manner approved by the local education authority and the managers. [Sect. 32 (1).]

Teachers in Non-Provided Schools.

In several recent local Acts, it has been provided that teachers in non-provided schools are to be deemed to be officers of the local education authority for the purposes of local superannuation schemes. For the first time in a general Act, these teachers are recognised in a similar manner. Any officer of a local educa-

tion authority who by virtue of the Act, or anything done in pursuance of, or in consequence of the Act, suffers direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, is entitled to compensation as provided by the Local Government Act, 1888 (51 & 52 Vict. c. 41). [8 & 9 Geo. 5, c. 39, s. 49.] This provision is made applicable to teachers in non-provided schools, who are for this purpose to be deemed to be officers of the local education authority. [Sect. 49 (*a*).]

CHAPTER VIII

ADMINISTRATIVE

ABOLITION OF FEES

ALL fees for attendance at public elementary schools are abolished ; but charges made under the Education (Provision of Meals) Act, 1906 (6 Edw. 7, c. 57), and under the Local Authorities (Medical Treatment) Act, 1909 (9 Edw. 7, c. 13), are maintained. [Sect. 26 (1).] To make up to school managers of non-provided schools any loss they may suffer under this provision, the Board of Education, are to pay to the managers for a period of five years the average amount they received under sect. 14 of the Education Act, 1902 (2 Edw. 7, c. 42). [8 & 9 Geo. 5, c. 39, s. 26 (2).] Under that section the managers received an agreed proportion of the fees paid. Payments provided for in the Elementary Education (Blind and Deaf Children) Act, 1893 (56 & 57 Vict. c. 42), and in the Elementary Education (Defective and Epileptic Children) Act, 1899 (62 & 63 Vict. c. 32), are not affected by the Act. Payments of fees in places of higher education may be continued ; but adequate provision must be made by local education

authorities to secure that children and young persons are not debarred from the benefits of higher education merely through their inability to pay fees. [Sect. 4 (4).] The power of charging fees for scholars offered for examination which was conferred on the Central Welsh Board by a scheme made on May 13th, 1896, is withdrawn. [Sect. 42 (3).]

Free Inspection.

The Board of Education may undertake to inspect and report on any scheme or educational institution free of charge if requested to do so by the governing body, or, if there is no governing body, by the headmaster. [Sect. 27.] Under the Board of Education Act, 1899 (62 & 63 Vict. c. 33), the Central Welsh Board is recognised as the proper organisation for inspecting schools established under the Welsh Intermediate Act, 1889 (52 & 53 Vict. c. 40), and the powers conferred on the Board of Education to inspect schools are not to prejudice the rights of the Central Welsh Board in this respect. [8 & 9 Geo. 5, c. 39, s. 27.]

The power of the Central Welsh Board to charge fees for scholars examined is to cease. [Sect. 42 (3).] All these provisions relating to the Central Welsh Board may be repealed or altered by schemes. [Sect. 42 (4).]

Collection of Information.

In order that the Board of Education may have a full knowledge of the whole provision for education in the country and the extent to which such provision is utilised, full information must be sent to the Board, by the person responsible for each school or other educational institution, not in receipt of grants from the Board, with respect to such school or institution. In the first instance, the name and address of the school or institution and a short description of its work and character must be forwarded [sect. 28 (1) (*a*)] within three months of the appointed day, and such further particulars must be forwarded as may be required by regulations made by the Board. [Sect. 28 (1) (*b*).] The person responsible for forwarding all these particulars is the secretary to the governors, or if there are no governors, the headmaster or other person responsible for the management. [Sect. 28 (3).] A penalty not exceeding ten pounds may be incurred for failure to forward the information required, and a further penalty of ten pounds a day for every day on which the failure continues after conviction. [Sect. 28 (2).] If the necessary information is already in the hands of the Board or is otherwise available, the Board may exempt a school or institution from the obligation to forward information. [Sect. 28 (1).]

Public Inquiries by the Board of Education.

Very large powers are given to the Board of Education under the Act in respect to local inquiries. They may hold a public inquiry for the purpose of the exercise of "any of their powers" or the performance of "any of their duties" under the Education Acts. [Sect. 40 (1).] The Board may act on the requisition of the local education authority or other applicant, and the inquiry may be made by one person or by more than one appointed by the Board. [Sect. 40 (2) (*a*).] The court of inquiry will hold their sittings in some convenient place in the neighbourhood of the subject of the inquiry, and will hear, receive and examine any evidence and information offered, and hear and inquire into the objections and representations made. [Sect. 40 (2) (*b*).] Seven days' public notice of each sitting, except an adjourned sitting, must be given. [Sect. 40 (2) (*c*).] After the inquiry, the Court is to make a report in writing to the Board of Education, setting forth the result of the inquiry and the objections and representations made together with the opinion or recommendation of the Court to the Board. [Sect. 40 (2) (*d*).] A free copy of this report is to be furnished to the local education authority concerned, and to any person interested on payment of the fee fixed by the Board.

[Sect. 40 (2) (*e*).] The costs of the inquiry may be imposed on the local education authority or on the applicant for the inquiry by order of the Board of Education, and if the Board think fit an applicant may be required to give security for costs. [Sect. 40 (2) (*f*).] Costs so ordered may be recovered by summary process as a civil debt ; but this is to be without prejudice to the recovery of the cost as a debt due to the Crown. [Sect. 40 (2) (*g*).]

Grants.

The whole method of payment of grants has been altered under the Act. The fee grant, aid grant, and small population grants will no longer be paid. [Sect. 44 (4).] The method of allocation and the determination of the amounts to be paid are vested in the Board of Education [sect. 44 (1)], and the Board have full power to pay grants to an authority in respect of any expenditure which the authority may lawfully incur. [Sect. 44 (1).] The amount of grant paid by the Board of Education will normally be not less than half the net expenditure of a local education authority on elementary or higher education [sect. 44 (2)], provided that the regulations framed by the Board are complied with. If under the ordinary regulations the grant is less than one-half of the total net ex-

penditure a deficiency grant may be paid to make it up to one-half. [Sect. 44 (2).] Any grants paid by any other Government departments will be taken into account in estimating the deficiency grant. [Sects. 44 (3).] If an authority fails in its duties, or if the conditions of grant, as laid down by the Board of Education, are not complied with, a deduction may be made from the Board of Education grant, or the deficiency grant may be reduced. If this fine exceeds five hundred pounds or the amount produced by a half-penny rate, whichever is the less, a report must be laid before Parliament by the Board giving the amount of the reduction and the reasons for it. [Sect. 44 (5).] The regulations made by the Board for the payment of grants are also to be laid before Parliament, as soon as possible after they are made. [Sect. 44 (6).] The grants to the Central Welsh Board will consist of two portions. First, a yearly sum equal to a percentage not exceeding twenty-two and a half per cent., fixed from time to time at a uniform rate for every county by the Central Welsh Board, of the sum produced by a rate of one half-penny in the pound, calculated in the manner provided by the Welsh Intermediate Education Act (52 & 53 Vict. c. 40, s. 3) [8 & 9 Geo. 5, c. 39, s. 42 (1)], and secondly, a yearly sum equal to five per cent. of

the net income for the preceding year of any endowment comprised in the Intermediate and Technical Education Fund of the county, or in the alternative an agreed sum for each year for a period agreed between the Board of Education and the Central Welsh Board. [Sect. 42 (2).] All expenses and outgoings are to be deducted in ascertaining the net income, including capital charges and interest. All income from investments is to be regarded as " endowments for the purposes of calculation." [Sect. 42 (3).]

Acquisition of Land.

The Act applies the procedure established under the Housing and Town Planning Act of 1909 (9 Edw. 7, c. 44) to the acquisition of land by local education authorities for educational purposes. The Board of Education is, however, substituted for the Local Government Board and, if in the opinion of the Board of Education any piece of land is unsuitable, the Board will not confirm an Order even if it is otherwise unopposed. In London, the borough council of the area must be consulted, and if they oppose the acquisition, the Board of Education must be satisfied that their concurrence should be dispensed with. [3 Edw. 7, c. 24, s. 2 (2).] Where it is proposed to take any land exempt from compulsory purchase under

the Housing and Town Planning Act, 1909, such as the site of ancient monuments, or other object of archæological interest, or land which is the property of a local authority, or land of a company acquired for public undertakings, or land which forms part of a park, garden or pleasure ground [9 Edw. 7, c. 44, s. 45], an order will not have effect until it is confirmed by Parliament. [8 & 9 Geo. 5, c. 39, s. 34.] Any expenses incurred by a local education authority in connection with a Provisional Order or any Order under the Act are to be defrayed out of the county fund, the borough fund, or the poor rate as the case may be. [Sect. 37.]

Schools outside Area.

Power is given to local authorities to provide public elementary schools outside their own areas for the use of children in their area. This provision will be of great service in cases where an urban area is extending into adjoining rural areas. The consent of the Board of Education will be necessary, and the Board must consult the authority in whose area the proposed school is to be built. [Sect. 35.]

Capital Expenses and Rent.

Under the Act of 1902, a county council was required to charge not less than one-half and

not more than three-fourths of the cost of providing or improving any public elementary school on the parish or parishes using the school [2 Edw. 7, c. 42, s. 18 (1) (*c*)], and any rent paid for the schools was to be similarly charged. [2 Edw. 7, c. 42, s. 18 (1) (*d*).] This provision bore very hardly on rural parishes and it is now amended so as to make it optional on a county council whether such a charge shall be imposed or not. [8 & 9 Geo. 5, s. 36 (1).] It was also within the power of the county council to charge any expenses incurred with respect to higher education on any parish or parishes served by the school or college in question. [2 Edw. 7, c. 42, s. 18 (1) (*a*).] Before making any such charge a county council must now consult the borough council or urban district council concerned. [8 & 9 Geo. 5, c. 39, s. 36 (2).]

CHAPTER IX

MISCELLANEOUS

Attendance at Conferences.

It is customary for local education authorities to authorise the attendance of members and officers of the authority at various educational meetings and conferences. The necessary payments are regulated under sect. 38 of the Act which provides that payments may be made for this purpose, and that subscriptions towards the cost of such meetings or conferences may be paid by the authority.

If more than three persons are sent, the consent of the Board of Education must first be obtained [sect. 38 (*a*)] ; the payments must be in accordance with a scale fixed by the authority. [Sect. 38 (*b*).] If the meeting or conference is held outside the United Kingdom the Board of Education must sanction the attendance of representatives. [Sect. 38 (*c*).] The expenditure in any case must be authorised or ratified by the council ; or by the education committee, in cases where powers under the section have been delegated to that committee, and due notice must be given of the necessary resolution.

Unless this course is followed the approval of the Board of Education must be obtained to the expenditure. [Sect. 38 (*d*).]

Inspection of Minutes.

Any ratepayer may claim to inspect the minutes of a local education authority, at any reasonable time, on payment of a fee of one shilling, and may make a copy or take an extract from such minutes. In cases when powers are delegated to an education committee without the necessity of reporting to the full council, a ratepayer has similar rights with respect to the minutes of the education committee. [Sect. 41.]

Evidence.

The signature of the clerk to a local education authority, or of an education committee, or of the director or secretary of education is to be sufficient evidence, until the contrary is proved, that orders, certificates, notices, requirements, and documents, so signed, have been made by the authority concerned, and any copy of such documents purporting to be so signed may be accepted without further proof. [Sect. 43.]

Educational Trusts.

An official trustee or trustees may be appointed by Order in Council, with power to hold land with-

out licence in mortmain, for the purpose of holding educational trust property. [Sect. 45 (1).] On the appointment of this officer or officers, all educational trust property and funds vested in the official trustees of charity lands and charitable funds are to vest in the educational trustee. [Sect. 45 (2).] Any question as to whether an endowment in whole or in part should be applied solely to educational purposes is to be determined by the Charity Commissioners. [Sect. 45 (3).] Any assurance of land or personal estate to be laid out in the purchase of land for educational purposes is exempted from the restrictions of the Mortmain and Charitable Uses Acts [sect. 46 (1)], and the Mortmain and Charitable Uses Amendment Act, 1892, is not to apply to any such assurance. [Sect. 46 (1).]

Every conveyance or assurance of land for the purposes of institutions set up under the Technical and Industrial Institutions Act, 1892, must now be enrolled at the Board of Education and not in the books of the Charity Commissioners as heretofore [sect. 46 (3)], and all assurances of land or personal estate to be laid out in the purchase of land for educational purposes must be sent to the offices of the Board as soon as may be after the execution of the deed or other instrument or, in the case of a will, after the death of the testator. [Sect. 46 (3).]

New Trustee.

The consent of the Board of Education to the appointment of a new trustee under an educational charity scheme made before the passing of the Act will no longer be required, unless the Board specially direct that their consent will be required. [Sect. 47.]

Compensation to Officers.

Any officer of a local education authority who by virtue of the Act, or anything done in pursuance or consequence of the Act, suffers direct pecuniary loss by abolition of office, or by diminution of fees or salary, is entitled to compensation for such loss [sect. 49], and sect. 120 of the Local Government Act of 1888 (51 & 52 Vict. c. 41) is applied to such cases. Teachers in provided schools are officers of the authority they serve, and teachers in non-provided schools are to be deemed to be officers for the purposes of compensation. [Sect. 49 (*a*).] References to a county council in the Local Government Act are to include references to a borough or urban district council. [Sect. 49 (*b*).] The date of estimating the loss is the date when the loss arises [sect. 49 (*c*)], and the references to the Acts and Rules on which compensation is based are to be construed as the Acts and Rules which were in operation at the date of

the passing of the Local Government Act, 1888. [Sect. 49 (*d*).] The operative section of that Act provides as follows:—

(1) Every existing officer declared by this Act to be entitled to compensation, and every other existing officer, whether before mentioned in this Act or not, who by virtue of this Act, or anything done in pursuance of or in consequence of this Act, suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him for such pecuniary loss by the county council, to whom the powers of the authority, whose officer he was, are transferred under this Act, regard being had to the conditions on which his appointment was made, to the nature of his office or employment, to the duration of his service, to any additional emoluments which he acquires by virtue of this Act or of anything done in pursuance of or in consequence of this Act, and to the emoluments which he might have acquired if he had not refused to accept any office offered by any council or other body acting under this Act, and to all the other circumstances of the case, and the compensation shall not exceed the amount which, under the Acts and Rules relating to Her Majesty's Civil Service, is paid to a person on abolition of office.

(2) Every person who is entitled to compensation, as above mentioned, shall deliver to the county council a claim under his hand setting forth the whole amount received and expended by him or his predecessor in office, in every year during the period of five years next before the passing of this Act, on account of the emoluments for which he claims compensation, distinguishing the offices in respect of which the same have been received and accompanied by a statutory declaration under the Statutory Declaration Act, 1835 (5 & 6 Will. 4, c. 62), that the same is a true statement according to the best of his knowledge, information, and belief.

(3) Such statement shall be submitted to the county council, who shall forthwith take the same into consideration, and assess the just amount of compensation (if any), and shall forthwith inform the claimant of their decision.

(4) If a claimant is aggrieved by the refusal of the county council to grant any compensation, or by the amount of compensation assessed, or if not less than one-third of the members of such council subscribe a protest against the amount of the compensation as being excessive, the claimant, or any subscriber to such protest (as the case may be) may, within three months after the decision of the council, appeal to the Treasury, who shall consider the case and

determine whether any compensation, and if so what amount, ought to be granted to the claimant, and such determination shall be final.

(5) Any claimant under this section, if so required by any member of the county council, shall attend at a meeting of the council and answer upon oath, which any justice present may administer, all questions asked by any member of the council, and shall further produce all books, papers, and documents in his possession or under his control relating to such claim.

(6) The sum payable as compensation to any person in pursuance of this section shall commence to be payable at the date fixed by the council on granting the compensation, or, in case of appeal, by the Treasury, and shall be a specialty debt due to him from the county council, and may be enforced accordingly in like manner as if the council had entered into a bond to pay the same.

(7) If a person receiving compensation in pursuance of this section is appointed to any office under the same or any other county council, or by virtue of this Act, or anything done in pursuance of or in consequence of this Act, receives any increase of emoluments of the office held by him, he shall not, while

receiving the emoluments of that office, receive any greater amount of his compensation, if any, than, with the emoluments of the said office, is equal to the emoluments for which compensation was granted to him, and if the emoluments of the office he holds are equal to or greater than the emoluments for which compensation was granted, his compensation shall be suspended while he holds such office.

(8) All expenses incurred by a county council in pursuance of this section shall be paid out of the county fund, as a payment for general county purposes. [51 & 52 Vict. c. 41, s. 120.]

It will be seen that the decision of the Treasury on appeal is final, and their decision cannot therefore be questioned in any Court. The practice of the Treasury under the section is to award as many sixtieths of the officer's emoluments as he has served complete years, with a special addition, on account of abolition of office, not exceeding the following scale :—

Under 5 years of service . . .	$\frac{1}{60}$
5 years of service and less than 10 .	$\frac{3}{60}$
10 ,, ,, ,, 15 .	$\frac{5}{60}$
15 ,, ,, ,, 20 .	$\frac{7}{60}$
20 years of service and upwards .	$\frac{10}{60}$

The allowance in any case is not to exceed two-thirds of the salary and emoluments.

Appointed Days.

The Act comes into operation on the appointed day, to be appointed by the Board of Education, who may appoint different days for different purposes, for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons. The provisions as to raising the compulsory age of attendance at ordinary schools to fourteen [sect. 8 (1)] and as to raising the age which may be fixed by bye-laws to fifteen [sect. 8 (2)] are not to come into operation until the termination of the present war. The raising of the age from eleven to twelve in the case of children employed in singing, playing, performing, or being exhibited, or in offering anything for sale [sect. 13 (2) (iii.)], will be enforced as from the appointed day. [Sect. 52 (3).] The duty of local education authorities to establish certified schools for boarding and lodging physically defective and epileptic children will not be insisted upon for a period of seven years from the appointed day, except in the case of the London County Council. (Sect. 52 (3).] The compulsory attendance of young persons between the ages of sixteen and eighteen at continuation schools is deferred until seven years after the appointed day. [Sect. 10 (1) (*a*).] The list of Appointed

Days will be found in the Appendix at page 161 *et seq.*

Definitions.

"CHILD" means any child up to the age when his parents cease to be under an obligation to cause him to receive efficient elementary instruction or to attend school under the enactments relating to elementary education and the bye-laws made thereunder. [Sect. 48 (1).]

"EMPLOY AND EMPLOYMENT" in relation to a child or young person include employment in any labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or young person or to any other person. [Sect. 48 (2).]

"PARENT" in relation to a young person includes guardian and every person who is liable to maintain or has the actual custody of the young person. [Sect. 48 (1).]

"PRACTICAL INSTRUCTION" means instruction in cookery, laundrywork, housewifery, dairywork, handicrafts, gardening, and such other subjects as the Board of Education declare to be subjects of practical instruction. [Sect. 48 (1).]

"SCHOOLHOUSE" includes the teacher's dwelling house and the playground (if any) and the

offices and all premises belonging to or required for a school. [33 & 34 Vict. c. 75, s. 3.]

"SCHOOL TERM" means the term as fixed by the local education authority. [Sect. 48 (1).]

"SEA SERVICE" has the same meaning as in the Merchant Shipping Acts, 1894 to 1916, and includes sea-fishing service. [Sect. 48 (1).]

"YEAR" means in the case of any young person in relation to continuation schools the period of twelve months reckoned from the date when he ceased to be a child or any subsequent period of twelve months. [Sect. 12 (2).]

"YOUNG PERSON" means a person under eighteen years of age who is no longer a child. [Sect. 48 (1).]

Other expressions have the same meaning as in the Education Acts. [Sect. 48 (1).]

CHAPTER X

NEW GRANT REGULATIONS

ELEMENTARY EDUCATION

THE Board of Education are vested with powers under section 44 to make regulations to provide for the payment to local education authorities of annual substantive grants from imperial sources, and to prescribe conditions and limitations under which such grants shall be paid. The regulations, now issued by the Board, indicate the method of computation, and the amounts which authorities may expect to receive. The abolition of the various statutory grants, enables the Board to consolidate the payments under one head; and, in place of grants hitherto paid, a new "substantive grant" will be receivable by each authority on account of expenditure on elementary and higher education respectively.

Method of Computation of the Substantive Grant for Elementary Education.

The grant is computed under a formula based on the average attendance in public elementary schools in the area, the produce of a rate and the expenditure on education by the authority.

"Average attendance" is the quotient of the total number of attendances divided by the number of meetings held [Provisional Code 1919, Art. 46]; but does not include attendance at schools for the blind, deaf, defective and epileptic children, these being specially provided for. (Grant Regulations, No. 1 (2), *post.*]. The formula is as follows :—

Average attendance × 36*s.* + $\frac{3}{5}$ of the expenditure on teachers' salaries + $\frac{1}{2}$ of the net expenditure on special services + $\frac{1}{5}$ of the remaining net expenditure — the produce of a sevenpenny rate upon assessable value in the area.

"Special services" here include the following : school medical service, provision of meals, schools for blind, deaf, defective and epileptic children, organisation and supervision of physical training, evening play centres and nursery schools.

In calculating the net expenditure, the Board of Education will exclude expenditure on services for which grants are made by other Government departments, expenditure under the Education (Provision of Working Balances) Act, 1903, and any expenditure not approved by the Board. In all ordinary cases the grant is not to exceed two-thirds of the total expenditure, or the excess of the net expenditure over a sum comprising

the produce of a rate of twelvepence, together with the grant under the Agricultural Rates Act. On the other hand, the grant is not to be less than half the net expenditure, and if the sum arrived at under the formula does not represent that amount it will be increased accordingly by way of a deficiency grant. [Sect. 44 (2).]

Increased Grant in Highly Rated Areas.

In highly rated areas an increased grant may be paid. The additional amount will be determined by the Board of Education by the following method: The Board will calculate the amount by which the substantive grant, together with the grant under the Agricultural Rates Act, falls short of the net expenditure by a sum exceeding the equivalent of a prescribed rate. The grant will then be increased by a prescribed proportion. The prescribed rate and the prescribed proportion are subject to revision from time to time. For the present the prescribed rate has been fixed at twenty-seven pence, and the prescribed proportion at one-half. It follows that an increased grant of one half of the expenditure above the produce of a twenty-seven penny rate will be added to the substantive grant in such cases. This increased grant will not be paid in respect of any amount not

contained in the authority's estimate for the year. [Grant Regulations No. 1 (6), iii.]

The Board, in considering a claim for this increased grant, will have regard to the standard of expenditure in other areas not receiving an increased grant, and the special circumstances of the area; and if due economy has not been observed the grant may be limited accordingly. [Grant Regulations No. 1 (6), iv.]

An authority desiring to receive the increased grant must forward to the Board, with the estimates for the year, full explanations as to the points mentioned, for the information of the Board. A caution is given that provisional inclusion by the Board for the purpose of determining the instalments payable is not to be taken as a final approval of the increased grant. [Grant Regulations No. 1 (6), v.]

Conditions of Grant.

The new substantive grant will be dependent upon the approval by the Board of Education of the manner in which the duties of the local education authority are carried out, the due observance by the authority of the regulations of the Board, and the punctual forwarding of necessary returns and information to the Board. If the Board are not satisfied with respect to any of these matters a deduction may be made from

the grant ; but if such deduction exceeds the sum of £500 or the produce of a halfpenny rate, whichever is the less, a report must be laid before Parliament stating the amount of the deduction and the reasons actuating the Board in making it. [Grant Regulations, No. 1 (7), and 8 & 9 Geo. 5, c. 39, s. 44 (5).] If any such deduction is made it is not to be compensated for either by the deficiency grant or the increased grant. [Grant Regulations, No. 1 (8).]

Method of Payment of Grant.

The substantive grant for any year will be paid with respect to the expenditure of that year ; but as this cannot be known until the audited accounts for the year are available, the Board will pay monthly instalments of grant based upon the most recent audited accounts available at the beginning of the year. Thus, for the year 1919—20 on the 1st of April, 1919, the most recent figures will be those relating to 1917—18, and the monthly grants will in the first instance be based on those figures. As soon, however, as the figures for 1918—19 have been ascertained to the satisfaction of the Board, the instalments of grant will be revised in accordance with such figures and, provided that the accounts for 1918—19 reach the Board not later than the 30th of September, 1920, it is

understood that the Board will, in ordinary cases, be able to pay the whole of the amount due to the authority on the basis of such accounts before the close of the financial year ending 31st March, 1920. As soon as the expenditure for the financial year ending on that date is ascertained the Board will further revise the instalments of grant in accordance with the figures for that year, and the final settlement will be made after the audited accounts have been received. [Grant Regulations, No. 1 (9 and 10).]

The Deficiency Grant.

A " deficiency " is defined [Grant Regulations, No. 2 (3), *post*] as the amount, if any, by which in the financial year beginning 1st April, 1919, or in any subsequent financial year, the total sums payable to a local education authority by the Board of Education, out of moneys provided by Parliament, fall short of one half of the authority's net expenditure as defined in the Board's Grant Regulations, No. 1 (*post*). The Board's Regulations (No. 2) prescribe the conditions under which this deficiency will be met. For the year 1919—20 special provisions are set out; but for any year after that " sums payable " by the Board of Education will include any sums payable in that year by way of instalment, or final

balance, of the substantive grant for a previous year and any sums payable in that year by way of instalment of the substantive grant for that year. [Grant Regulations, No. 2 (5).] In other words, the deficiency grant will be the sum necessary to make up the total amounts received in the year by way of substantive grant, to a sum equal to one half of the total expenditure in that year. It is to be noted, however, that if any sum payable by the Board is not paid because of the default of the authority in supplying information and returns such sum will still be counted against the authority for the purposes of computation. [Grant Regulations, No. 2 (6).] In the ascertainment of a deficiency grant payable by the Board, the Treasury have directed that there must be excluded all sums paid by any Government department other than the Board of Education, and all expenditure attributable to a service in respect of which payments (except payments under the Agricultural Rates Act, 1896) are made by any Government department other than the Board of Education. [Grant Regulations, No. 2 (2).]

Transitory Provisions.

The Board of Education have made regulations governing the payment of grants for the year 1918—19 with respect to special services.

These provide that, so far as the medical services are concerned, an additional sum may be paid so as to cover the work done for the year 1918—19, the usual grant being estimated on the previous year's work. A further regulation allows authorities to claim a grant, in respect of the year 1918—19, of one-half of the expenditure on elementary education, in excess of a rate of thirty pence in the pound. The former annual grant was calculated on the school year of each school. The new substantive grant will be calculated for the whole area on the average attendance for the year ending 31st March. To bring the old method into harmony with the new arrangements, grants will be paid for the broken periods at the rate of one-twelfth of the grant for each month between the end of each school year and the 31st March, 1919.

Grants for Nursery Schools.

Grants will be paid to Nursery Schools under the control of local education authorities at the rate of one half of the net expenditure. [Grant Regulations, No. 1 (2) (*b*).] Grants of a similar amount will be made to nursery schools conducted by responsible managers, subject to the due observance of the Board's regulations. [Regulations for Nursery Schools (13), *post.*] This grant will be paid at the end of each year

commencing on 1st April. In determining the expenditure, the gross expenditure will be reduced by the amount of any fees received, and any sums received from a local education authority ; and the Board will also exclude any amounts which, in the opinion of the Board, should not be taken into account. An audited statement of accounts must be forwarded to the Board, through the local education authority, when the grant is claimed. [Regulations for Nursery Schools (13).] It should be noted that the first expenditure, taken into account for grant, will be that incurred during the year ending 31st March, 1919, so that grant will be first payable during the year commencing 1st April, 1919. Grants will only be paid so long as a school is recognised by the Board, and if the conditions laid down are not fulfilled, the Board may withdraw recognition, or alternatively reduce the grant payable as a preliminary to such withdrawal. [Regulations for Nursery Schools (14).]

In all these regulations it is provided that should any dispute arise as to their interpretation the decision of the Board of Education is to be final.

Education Act, 1918.
Grant Regulations, No. 1.

BOARD OF EDUCATION.

Regulations for the Substantive Grant for Elementary Education.

The Board of Education hereby make the following Regulations :—

1.—The substantive grant payable by the Board of Education to local education authorities in respect of elementary education will, as from 1st April, 1919, consist of one consolidated grant, which, subject to the conditions of these Regulations, will be payable for each year beginning on 1st April.

2.—*Formula for the calculation of the grant :* The grant payable for a year will be based upon the average attendance, the produce of a rate, and the expenditure of that year, according to the following formula :—

Thirty-six shillings for each unit of average attendance in public elementary schools maintained by the authority (not including any schools for blind, deaf, defective, and epileptic children*), with the addition of the following amounts :—

(*a*) Three-fifths of the authority's expenditure on the salaries of teachers in those schools ;

(*b*) One-half of the net expenditure on special services ; and

(*c*) One-fifth of the remaining net expenditure on elementary education ;

* Schools for blind, deaf, defective and epileptic children are included among the special services (*see* Article 11 (v.)).

less the produce of a sevenpenny rate upon assessable value in the area.

3.—*Calculation of Expenditure :* In calculating expenditure for the purposes of these Regulations the Board will ascertain the expenditure of the local education authority from the portion of the statutory Financial Statement relating to Elementary Education (Revenue Account), but will exclude—

(*a*) Expenditure which in the opinion of the Board of Education is attributable to any service in respect of which payments—not being payments under the Agricultural Rates Act, 1896—are made by a Government Department other than the Board of Education ;

Thus the expenditure on industrial schools will be excluded, being a service in respect of which payments are made by the Home Department.

(*b*) Any sum applied towards the repayment of a loan raised under the Education (Provision of Working Balances) Act, 1903 ; and

(*c*) Any expenditure not recognised by the Board as expenditure in aid of which Parliamentary Grants should be made.

4.—*Maximum limit :* The grant shall not, except as provided in Article 6 below, exceed the greater of the two following amounts :—

(*a*) Two-thirds of the net expenditure ;

(*b*) The excess of the net expenditure over a sum comprising the produce of a rate of twelvepence upon assessable value in the area, together with the grant under the Agricultural Rates Act ;

and if the grant calculated under the formula would exceed this maximum limit it shall be reduced accordingly.

5.—*Minimum limit :* The grant shall not be less than one half of the net expenditure, and if the grant calculated under the formula would fall short of this minimum limit, it shall be increased accordingly.

6.—*Increased grant in highly rated areas :* (i.) In those areas in which the grant calculated as above would, when

added to the grant under the Agricultural Rates Act, fall short of the net expenditure by a sum exceeding the equivalent of a rate of the *prescribed amount*, the grant shall be increased by the *prescribed proportion* of the amount of such excess.

(ii.) The "prescribed amount" and the "prescribed proportion" for the purposes of this article are subject to periodical revision. For the year 1919–20 the prescribed amount is twenty-seven pence and the prescribed proportion is one-half.

(iii.) The increased grant under this article will not be made in respect of any expenditure in excess of that which is contained in the estimates passed by the authority and adopted by it as the basis on which the education rate is levied in the area from the beginning of the year.

(iv.) In considering any claim under this article the Board will have regard to—

(*a*) The standard of expenditure in other areas not receiving increased grant under this article ;

(*b*) The special circumstances of the area ;

and if they are not satisfied that due economy has been observed in the area, may limit the amount of the expenditure in respect of which they will pay grant.

(v.) In order to receive increased grant under this article the authority must, at the time when it forwards its estimates to the Board, furnish full explanations for the purpose of satisfying the Board on these points ; and provisional inclusion by the Board of expenditure for the purpose of determining the instalments payable in the year is not to be regarded by the authority as committing the Board to the final approval of it for the purpose of this article.

7.—*Conditions of grant :* The grant is conditional upon the Board being satisfied that the authority—

(i.) has performed its duties under the Education Acts ;

(ii.) has complied with the conditions of the Regulations of the Board for Public elementary schools, special schools and other special services ;

(iii.) has supplied punctually such information and returns as the Board require.

If the Board are not satisfied on any of these matters they may withhold or make a deduction from the grant.

If a deduction is made exceeding five hundred pounds, or the amount which would be produced by a rate of one halfpenny in the pound, whichever is the less, a report stating the amount of and the reasons for the deduction will be laid before Parliament (*Education Act*, 1918, *Sect.* 44 (5)).

8.—*Proviso to Articles* 5 *and* 6: The grant shall not be increased under Article 5 or Article 6 so as to make good to the authority any sum withheld or deducted from the grant under Article 7.

9.—*Instalments:* The grant will be payable by instalments.

(*a*) During the year the total amount payable by way of instalment will be calculated in a manner similar to that shown in Articles 2, 3, 4, 5 and 6 above upon the latest returns of the expenditure of the authority which are in the Board's possession by the first day in the year, and upon the figures of average attendance and produce of a rate for the year to which those returns relate.

(*b*) The instalments will be payable monthly at one twelfth of the amount so ascertained.

(*c*) The amount of the instalments may be revised during the year upon returns of the average attendance, the expenditure, and the produce of a rate for the preceding year, provided that such returns are furnished to the Board not later than the 30th September.

(*d*) The Board may also pay by way of instalment during the year any further sum that appears to them to be payable in order that the provisions of section 44 (2) of the Education Act, 1918, may be satisfied.

(*e*) If after the end of the year it is found that the expenditure of the year would justify further instalments being paid pending final adjustment, such further

instalments as the Board direct, based on returns of the average attendance, the expenditure, and the produce of a rate for the year, may be paid before audit.

10.—*Final Adjustment :* The grant will be finally adjusted after the audited accounts for the year and any other returns required by the Board for the purpose have been received and examined.

It will be calculated to the nearest pound, a fraction of a pound in the final result being ignored or reckoned as a pound according as it is, or is not, less than ten shillings.

11.—*Definition of Terms :* For the purposes of these Regulations—

(i.) " Average attendance in public elementary schools " means the average attendance, as computed in accordance with the regulations for such schools, for the twelve months beginning on the 1st April.*

(ii.) " The produce of a rate " will be calculated in the manner prescribed by the Education (Produce of Rate) Order, 1903, and the Education (Produce of Rate) London Order, 1904, and in the area of a local education authority, not being a county borough, it will be calculated upon the county rate basis.

(iii.) " Net expenditure " means expenditure as calculated under Article 3, less all receipts relating thereto except receipts from rates, or from grants, or under the Agricultural Rates Act.

(iv.) " Expenditure on salaries " means gross expenditure on salaries of teachers in public elementary schools without making any deductions under the Elementary School Teachers (Superannuation) Acts. Salaries will be reckoned in money payments only

* As the year beginning 1st April, 1919, will be the first for which figures of average attendance for the uniform period beginning 1st April will be available, the aggregate average attendance for school years previously ended will be used during that year for the purpose of calculating the instalments.

and will not include the estimated value of other forms of emolument, *e.g.*, house accommodation.

(v.) "Special services" consist of the following:—

(*a*) School medical service, including medical inspection and medical treatment of children attending public elementary schools;

(*b*) Provision of meals;

(*c*) Schools for blind, deaf, defective and epileptic children;

(*d*) Organisation and supervision of physical training in public elementary schools;

(*e*) Evening play centres; and

(*f*) Nursery schools.

12.—*Final Decision of the Board:* If any question arises as to the interpretation of these Regulations, or as to the inclusion or exclusion of any items of receipt or expenditure for the purpose of calculating the grant, the decision of the Board shall be final.

13.—These Regulations may be cited as the Education Act, 1918, Grant Regulations, No. 1.

Education Act, 1918.
Grant Regulations, No. 2.

BOARD OF EDUCATION

Regulations for Deficiency Grant.
Elementary Education.

1. The Education Act, 1918 (section 44 (2) and (3)), provides as follows:—

(2) Subject to the regulations made under the next succeeding subsection, the total sums paid to a local education authority out of the moneys provided by Parliament and the local taxation account in aid of elementary education or education other than elementary, as the case may be, shall not be less than one half of the net expenditure of the authority recognised by the Board of Education as expenditure in aid of which parliamentary grants should be made to the authority,

and, if the total sums payable out of those moneys to an authority in any year fall short of one half of that expenditure, there shall be paid by the Board of Education to that authority, out of moneys provided by Parliament, a deficiency grant equal to the amount of the deficiency, provided that a deficiency grant shall not be so paid as to make good to the authority any deductions made from a substantive grant.

(3) The Board of Education may make regulations for the purpose of determining how the amount of any deficiency grant payable under this section shall be ascertained and paid, and those regulations shall, if the Treasury so direct, provide for the exclusion in the ascertainment of that amount of all or any sums paid by any Government department other than the Board of Education and of all or any expenditure which in the opinion of the Board of Education is attributable to a service in respect of which payments are made by a Government department other than the Board of Education.

2. The Treasury have directed that the regulations shall provide for the exclusion, in the ascertainment of the amounts of any deficiency grant payable in aid of elementary education, of the following sums :—

(*a*) all sums paid by any Government department other than the Board of Education ;

(*b*) all expenditure which in the opinion of the Board of Education is attributable to a service in respect of which payments—not being payments of grant under the Agricultural Rates Act, 1896—are made by a Government Department other than the Board of Education.

3. For the purpose of these regulations a deficiency is the amount, if any, by which in the financial year beginning 1st April, 1919, or in any subsequent financial year, the total sums payable to a local education authority by the Board of Education out of moneys provided by Parliament fall short of half of the authority's net expenditure as defined in the Education Act, 1918, Grant Regulations, No. 1.

(Regulations for the Substantive Grant for Elementary Education.)

4. The " sums payable " (Art. 3) by the Board of Education in the year 1919–20 include :—

(*a*) of the grants payable under the Education Grants [Winding-up] Regulations, dated 27th February, 1919, in respect of elementary education for the period ending the 31st day of March, 1919—

(i.) grants for completed grant years ending on 31st March, 1919 ;

(ii.) grants for the broken periods ending on 31st March, 1919, in respect of grant years uncompleted at that date.

(*b*) all the grants payable under the Education Grants Special Services (Winding-up) Regulations dated 1st April, 1919, in respect of the " special services " of elementary education for the period ending 31st March, 1919.

(*c*) The balance of grant for the year 1918–19, payable in the year 1919–20, under Part III. of the regulations for " Special grants in aid of certain local education authorities in England and Wales.".

(*d*) of the grants payable under the Education Act, 1918, Grant Regulations, No. 1, all grants payable in the year by way of instalment.

5. The " sums payable " (Art. 3) by the Board of Education in any year after 1919–20 include—

(*a*) any sums payable in that year by way of instalment, or final balance, of the Substantive Grant for a previous year ;

(*b*) any sums payable in that year by way of instalment of the Substantive Grant for that year.

6. For the purpose of Articles 4 and 5, the Board will treat as payable in the year any sums that would under the Regulations be payable if the authority supplied correct information and returns punctually to the Board.

7. The grant will be calculated to the nearest pound, a fraction of a pound in the final result being ignored or

reckoned as a pound, according as it is, or is not, less than ten shillings.

8. If a deduction has been made by the Board from any substantive grant on account of a failure to comply with its conditions, a deduction of that amount will be made from any deficiency grant that would otherwise be payable.

9. If any question arises as to the interpretation of these regulations or as to the inclusion or exclusion of any items of receipt or expenditure for the purpose of calculating the deficiency grant, the decision of the Board shall be final.

10.—These Regulations may be cited as the Education Act, 1918, Grant Regulations, No. 2.

DRAFT STATUTORY RULES AND ORDERS.

BOARD OF EDUCATION.

Regulations with regard to the payment of grants to Local Education Authorities in respect of the "Special Services" of Elementary Education for the period ending 31st day of March, 1919.

DRAFT, DATED 11TH JANUARY, 1919, OF REGULATIONS PROPOSED TO BE MADE BY THE BOARD OF EDUCATION UNDER SECTION 44 OF THE EDUCATION ACT, 1918.

The Board of Education hereby make the following Regulations:—

1. *Cessation of Grants under Existing Regulations for Special Services.*—All grants payable to local education authorities under the existing Regulations named in this article will cease on 1st April, 1919, and no such grant will fall due in respect of any period after 31st March, 1919. The existing Regulations are as follows:—

(*a*) Medical Grant Regulations, Part I. (medical inspection and medical treatment of children attending public elementary schools);

(*b*) Regulations for the payment of grant in respect of

the provision of meals for children attending public elementary schools ;

(*c*) (i.) Regulations for special schools (*i.e.*, schools for blind, deaf, defective, and epileptic children) ;

(ii.) Medical Grant Regulations, Part II. (medical treatment and care of children attending certain "special" schools) ;

(*d*) Medical Grant Regulations, Part III. (organisation and supervision of physical training in public elementary schools) ;

(*e*) Regulations for evening play centres.

2. *Final Payments under Medical Grant Regulations, Part I.*—After the completion of payment of the grant payable during the year ending 31st March, 1919, under the Medical Grant Regulations, Part I. (medical inspection and medical treatment of children attending public elementary schools), no further grant will be payable under those Regulations in respect of the year ending 31st of March, 1919 ; but in addition to completing payment under those Regulations the Board will also pay, in respect of the year 1918–19, the amount, if any, by which the grant payable during the year 1918–19 under the existing Regulations falls short of the grant that would have been payable if it had been based on the work done and the payments made during the year itself, instead of during the previous year. This additional amount will be payable, when the necessary returns have been received, on or after 1st April, 1919.

3. *Final Payments under the other Existing Regulations for Special Services.*—Grants in respect of the year ending 31st March, 1919, and based on the work done and the payments made, or, in the case of special schools, on the attendances made, during that year, for—

Provision of meals ;
Special schools ;
Medical treatment and care of children attending certain special schools ;
Organisation and supervision of physical training ;
Evening play centres ;

will be payable under the Regulations referred to in Article 1 (*b*), (*c*), (*d*) and (*e*) above. These grants for the year 1918–19 will be the last grants payable under those Regulations, and they will be payable, when the necessary returns have been received, on or after 1st April, 1919.

4. *Temporary New Grant for Nursery Schools up to 31st March*, 1919.—Grant in respect of the year ending 31st March, 1919, based on the payments made during that year, will be payable, subject to the fulfilment of the Nursery School Regulations, at an amount not exceeding one half of the net expenditure by the authority upon nursery schools. The grant will be payable, when the necessary returns have been received, on or after 1st April, 1919.

5. *Final Decision of the Board.*—If any question arises as to the interpretation of these Regulations, or as to the inclusion or exclusion of any items of receipt or expenditure, the decision of the Board shall be final.

L. A. SELBY-BIGGE,
Secretary to the Board of Education.

11th January, 1919.

Education Act, 1918.
Grant Regulations, No. 6.

STATUTORY RULES AND ORDERS,
1919, No. 257.

EDUCATION, ENGLAND AND WALES.

Regulations for Nursery Schools, 1919.

THE REGULATIONS FOR NURSERY SCHOOLS, 1919 (INCLUDING REGULATIONS FOR PAYMENT OF GRANT IN RESPECT OF THOSE SCHOOLS), DATED MARCH 5, 1919, MADE BY THE BOARD OF EDUCATION UNDER SECTION 44 OF THE EDUCATION ACT, 1918 (8 & 9 GEO. 5, C. 39).

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BOARD OF EDUCATION.

Regulations for Nursery Schools.

PREFATORY MEMORANDUM.

1. Section 19 of the Education Act, 1918, which came into operation on the 8th August, 1918, reads as follows:—

"(1) The powers of local education authorities for the

purposes of Part III. of the Education Act, 1902, shall include power to make arrangements for—

"(*a*) supplying or aiding the supply of nursery schools (which expression shall include nursery classes) for children over two and under five years of age, or such later age as may be approved by the Board of Education, whose attendance at such a school is necessary or desirable for their healthy physical and mental development; and

"(*b*) attending to the health, nourishment and physical welfare of children attending nursery schools."

"(2) Notwithstanding the provisions of any Act of Parliament the Board of Education may, out of moneys provided by Parliament, pay grants in aid of nursery schools, provided that such grants shall not be paid in respect of any such school unless it is open to inspection by the local education authority, and unless that authority are enabled to appoint representatives on the body of managers to the extent of at least one third of the total number of managers, and before recognising any nursery school the Board shall consult the local education authority."

2. *Aims of the Nursery School.*—A nursery school or class is an institution providing for the care and training of young children aged from two to five years, whose attendance at such a day school is necessary or desirable for their healthy physical and mental development. It has therefore a two-fold function: first, the close personal care and medical supervision of the individual child, involving provision for its comfort, rest and suitable nourishment; and, secondly, definite training—bodily, mental and social—involving the cultivation of good habits in the widest sense, under the guidance and oversight of a skilled and intelligent teacher, and the orderly association of children of various ages in common games and occupations.

The child is first and foremost a growing organism: the nursery school will, on the one hand, liberate the growing child from the influences of environment and constitution which retard, confine, and distort its growth, and, on the other hand, will stimulate and direct its growth. It is

much more than a place for " minding " children. The need of nursery schools is greatest in the more congested areas of the large towns. The influences which an adequate supply of efficiently managed nursery schools could exercise upon both children and parents in such areas can hardly be overestimated.

3. The present memorandum is prefatory to the Regulations which follow it, and deals with (*a*) the physical care of the child, (*b*) its mental and social training, and (*c*) the necessary administrative arrangements, the site, premises and equipment, the age of admission and leaving, the size of the school, and the staffing and other ancillary matters.

Physical Care.

4. *General Hygiene.*—The provisions of the Act emphasise the need for attending to the health, nourishment and physical welfare of the children. The improvement of their health is indeed one of the main benefits which attendance at a good nursery school should bring with it. In a broad sense, physical welfare will always be in view, and there is hardly any limit to the beneficial influence of a nursery school on this side of its activities. Physical care includes not only opportunities for rest, exercise and physical development, but the provision of a healthy school environment and the inculcation of hygienic habits of life, of which the thorough practice of personal cleanliness is an obvious example. Equally important is suitable provision for the children's food. Meals, including a mid-morning lunch and mid-day dinner, should, as a rule, be taken at the school, and it may be desirable, or even necessary in some cases, to provide the children also with breakfast and tea. The arrangements for meals will need careful supervision. The dietary should be suitable and sufficient. The children should spend a definite part of the day in rest and sleep. Neither the exact time for the rest nor its length need here be prescribed, but it is important that the period should be the same each day; the teacher will herself decide, according to circumstances, what occupations

should precede or follow the period of rest. The rest should be taken on low stretchers, easily set up and stored away, or on clean mats, and should mean lying down and not sitting.

5. It will also be necessary to provide training directed to promoting the healthy development of the body. Appropriate physical training is as indispensable for younger as for older children. In addition to very simple organised exercises, they should be allowed and encouraged to move about freely, to use their limbs as their natural energy prompts, and to play the customary simple group games, with running, jumping and marching. They should be taught to breathe correctly and naturally; and all this should take place in clean and airy surroundings. The importance of facilities for out-of-door life cannot be overestimated. Whether in a garden (under more fortunate circumstances) or on a roof or other playground, kept clean and screened from too much wind, from wet, and from the sun in the height of summer, the children in nursery schools should spend a considerable time in the open air. Nor need the use of the outdoor space be confined to play in the form of free bodily exercise. In warm weather especially the chairs, tables and stretchers can be carried outside, and most of the day's occupations be conducted in the open air.

6. *Medical Supervision.*—As is intimated in Article 4 of the Regulations, a nursery school should stand in close relation to the school medical service. Whether maintained by the local education authority or by a voluntary body, the school should be under the supervision of the school medical officer. In the case of a voluntary nursery school it may not always be convenient for the school medical officer to undertake the whole of the medical inspection, but even in such a case the medical practitioner employed for this purpose should be in touch with the school medical officer, who should visit the school from time to time. The medical practitioner selected should preferably live near the school, to be readily available in case of emergency.

7. Medical supervision of nursery schools is desirable for four reasons :—

(*a*) To prevent the admission of physically unsuitable children.

(*b*) To prevent, as far as possible, the development of physical defects or ailments, and to ensure prompt treatment where necessary.

(*c*) To avoid, as far as possible, the spread of infectious diseases such as measles and whooping-cough by providing opportunity for early diagnosis and the adoption of prompt preventive measures.

(*d*) To create and develop healthy habits of life, and the avoidance of injury to the senses.

Among the children who desire admission there may be some who are physically unfit to attend even a nursery school. In other cases it may be desirable to retain children at the school on grounds of health for a longer period than usual before sending them to the public elementary school.

Various physical habits frequently observed among little children, such as mouth-breathing, squint, near distance eye work, etc., should be detected at the earliest opportunity, and arrangements made for their careful correction. One reason for the provision of nursery schools is indeed to reduce the large numbers of preventable defects now observed in entrants to the public elementary school, and the associated educational handicap and resulting incapacity. For several years past the degree and character of defects prevalent among children on their first admission to the elementary schools have revealed a widespread measure of low physical condition in children under five, not a little of which might have been prevented if it had been properly dealt with between two and five years of age.

8. *Medical Inspection and Treatment.*—Each child should be medically inspected according to a prescribed schedule as soon as possible after admission, and should be seen, though not necessarily examined, by the doctor not less than once a term. Ailing children may require more fre-

quent inspection. The school nurse may be employed to assist in the periodical medical examination of the children and in following up the children found to be defective. She may also pay daily visits to the school to make a "health inspection," take temperatures, if and when necessary, and deal with minor ailments. In many cases, however, it would be more satisfactory that the superintendent or another member of the staff who possesses the requisite qualifications should discharge some or all of these duties. She should weigh and measure the children at least at the beginning and end of each term (preferably once a month), and she should have a definite responsibility for the hygiene of the school, including the cleanliness of the children and the suitability of their clothing and footgear.

9. The facilities for treatment and the arrangements for "following up" provided for children in attendance at public elementary schools should be available for children in nursery schools. For example, a child suffering from squint, nasal obstruction or discharging ears, should be referred to the school clinic for advice and, if necessary, treatment. Minor ailments, *e.g.*, cuts, sores, chilblains, should be dealt with at the school itself. Particular attention should be paid to correct breathing, and the school staff should be trained to observe slight departures from the normal, which are the early indications of defects of sight, hearing, or nutrition. They should refer such cases to the medical officer.

Records of physical conditions, defects and treatment, should be kept on schedules adapted from those in use at the public elementary school, and should be transferred when the child enters the ordinary school. If the child has previously attended an infant welfare centre a copy of its record should be obtained.

10. *Epidemic Disease.*—The prevention of epidemic disease is particularly important where numbers of susceptible children under five years of age are in frequent and close contact. The younger the children the greater is the mortality from such diseases as measles and whooping-

cough. Ninety per cent. of the deaths from measles and its complications occur under the age of five years. If the attack of measles, for instance, can be postponed beyond early childhood the illness is likely to be less severe, and there is less liability to dangerous complications or after-effects, such as pneumonia or the development of tuberculosis. Children known to have suffered recently from infectious disease should receive special care and supervision in order to prevent the development of after-effects, such as tuberculosis. Epidemics can be prevented to a considerable extent—

(1) by daily inspection by a competent observer of each child as it enters the school;
(2) by the strict adherence of the school staff to rules drawn up for their guidance (*e.g.*, in regard to exclusion of "contacts" or of cases of infectious disease at an early or incipient stage);
(3) by exclusion of cases of "colds" or suspects;
(4) by the cleanliness and hygiene of each child;
(5) by the management of the school on open-air lines.

The school medical officer should be responsible for rules designed to prevent the transmission of infection, and for a general oversight of the arrangements. The necessary daily inspections should be carried out either by a qualified nurse or by a senior member of the staff if she possesses suitable and sufficient experience. It should not be delegated to junior or inexperienced members of the staff.

Suspicious cases should be isolated pending medical advice. Arrangements for the examination of suspected cases of infectious disease should be made by the school medical officer in conjunction with the medical officer of health (to whom notification of infectious cases must be sent). It may prove convenient to obtain a local doctor to examine such children. In any case much more effective and systematic steps should be taken through the nursery school in regard to the diagnosis and following up of measles, etc., than have been practicable in connection with the ordinary infant school. It is, perhaps, desirable to add that no scheme of nursery schools will receive the Board's approval until and unless proper safeguards have been secured.

Mental and Social Training.

11. It would, however, be a mistake to assume that healthy physical development is the sole concern of a nursery school, and that the growth of the mind can safely be neglected. The school should provide specific training on this side as well as on the physical. It has much to do in the way of preparing the children to begin the work of the elementary school with well-formed habits, with minds alert and eager to learn and unspoiled by premature attempts to teach what is unsuitable. Formal work in reading, writing, and arithmetic should have no place at all in the nursery school. The best preparation for the three R.'s is a training in speech and language. The children should be taught to use their voices naturally, without harshness, and to articulate clearly and correctly. They should be encouraged to ask questions, to understand and act upon what is said to them, to talk freely on their own little concerns, to say simple rhymes and poems, and to sing together. Music and singing will help in the training of speech, and by stories told to groups of children they will learn something of the pronunciation and meaning of words. The skilful teacher will know how to entice even the shyest child into talking. The picture books and toys, with which a nursery school should be well stocked, the garden and the pets that may be kept, will furnish material enough for talking. One of the objects of training in speech is to give the child, often brought up in narrow surroundings, ideas as well as words—things, in short, to talk about. In Wales it is desirable that the language of the nursery school should be the language of the children's home.

12. *Development of Motor and Sensory Experience.*—A beginning may be made in directing that motor and sensory experience of the child which is vital to its harmonious development. For though manual work as ordinarily understood is more suitable for children over the age of five years, its broad principles may be introduced in the nursery school. The child learns through action; indeed, true muscular culture is brain culture; and the early spontaneous movements of the child are of great importance

as stimulative to the brain centres. Certain forms of handwork and simple physical exercises—walking, hopping, skipping, marching, running, and arm exercise—are valuable and lead out the child's motor powers. It should be remembered that handwork should be so devised as to provide (*a*) for an appropriate degree of repetition, (*b*) for sufficient variety in form and nature, and (*c*) for tasks which can be completed in themselves at once or in one or at most two lessons. Above all, the handwork and other occupations of the children in the nursery school should have a purpose. The interest of young children is in occupations which have meaning, which *do* something, and which are followed by results. They like to handle things, and push them about, to make, create, and use; to build towers and destroy them; to collect and have the sense of ownership; to come into contact with and control other forms of existence than their own. All these early natural aspirations should be cultivated, developed and directed in the nursery school.

13. Another principal aim will be what is sometimes called "sense-training." The purpose of such training is not primarily to cultivate the ability to make minute discriminations between different sounds, textures, weights, or even colours, an ability which may be speedily lost if it is not constantly utilised. It is rather, as regards sight, to teach the child to notice broad rather than fine differences in colour, form and size; as regards hearing, to listen with attention, to respond to quiet questions and commands, to distinguish different sounds, and to develop a taste for pleasant sounds instead of noise; in touch, to enable the child to interpret shape, size and texture through his fingers, and to use his hands and fingers for manipulation, such as the careful carrying of utensils and the gentle treatment of flowers. The child may also learn to distinguish between the scents of various articles and to judge of weight. In the course of these activities the children will add indefinitely to their stock of ideas and of words with which to express them. Closely associated with this aspect of education is the training in balance and equilibrium and in easy and graceful movements in walking; while a sense of rhythm

may be fostered through music and dancing. Bad habits both in sitting and in moving, ungainly waddling and cramped postures, should be patiently corrected.

14. *Social Training.*—Much of the training above suggested will, no doubt, have to be accomplished with individuals taken alone or in small numbers together. But the nursery school should afford scope also for social training ; thus the children should be trained to eat properly and in general "to behave mannerly at table." They should assist in laying and clearing the table, and perhaps in some simple washing up. In the same way they can be enlisted in the service of keeping the rooms tidy, and be taught to put away their playthings in the proper place. If it is rightly conducted, the whole trend of the nursery school will be to accustom the children to attend to themselves, to fasten and unfasten clothes and boots without haste or carelessness, to keep themselves as well as their surroundings tidy and neat, and to take a pride in helping themselves and one another. Nor need it be feared that such a school will present the over-clean appearance of a too-strictly regulated institution.

Again, even young children can learn to share in games, to play together with common toys, sometimes the older with the younger, and sometimes the older by themselves. The importance of arousing a spirit of co-operation and of mutual help need not be here elaborated. This spirit is not inconsistent with the cultivation of a sense of ownership and of pride of possession ; if each child not only has access to the common cupboard or shelves of playthings, but has a few of his own to use or to lend, or is given a plant to tend or duties which he alone is to perform, his personal interest in the school will be increased.

It will probably be found advisable to let occasions of collective work, in stories, games, or music, succeed periods when children are left to play as their own choice dictates. Nothing pleases the average child better, after he has played alone with toys and his interest is exhausted, than to join his fellows in listening to a story, in singing or in a game. It is perhaps hardly necessary to say that a "time-table" is altogether out of place in these matters, and

that the finish of a period of collective work should be determined when the children have obviously had enough. Specified times must of necessity be set for the beginning and end of the session, for meals and for rest ; but nothing more than these need be settled beforehand.

15. Definite and clearly conceived as the training in the nursery school should be, it does not imply any formal classification. Strict adherence to an age basis in distributing children in classes should be avoided, for, as has already been said, one of the chief elements in the training of the children is the cultivation of the spirit of common play and mutual help, such as is found in every well-conducted household, and not least in families which do not contain nurseries. It is a good rather than a bad thing that the group of children under one teacher or assistant should consist of children of different ages. The child of two or three will not, of course, be able to join in all that children of four or five can do, but he will watch with interest and delight. Nor will he always follow the story to which older ones will listen with eagerness, but he can be set free to wander and play on his own account. Older children, too, even if they have games and pursuits of their own, do not lose the power of enjoying the simpler pursuits of their younger brothers and sisters. They will often become interested in the play of the younger children and will be delighted to help and amuse them.

Administrative Arrangements.

16. *Site, Premises and Equipment.*—It is important that the site should be easy of access to the children's homes. It may, indeed be argued that the healthy physical development of the children in large centres of population would best be secured by placing the school in some open locality away from congested areas, but the balance of advantage is in favour of the school being in close proximity to the children's homes. There are grave difficulties in the way of conveying children to a distant school ; they could not ordinarily be accompanied by their elder brothers or sisters ; mothers would lose touch with the school and the

staff, and would be disinclined to allow their younger children to attend ; and in case of illness, serious difficulties might arise. For these reasons the Board would not, as a rule, be prepared to recognise a nursery school that was not situated within convenient walking distance of the children's homes. The necessity of crossing dangerous thoroughfares must, of course, be avoided.

17. In the choice of premises the following main considerations should be kept in view :—

(*a*) Some out-door space in the form of a garden or yard is essential unless the school practically adjoins a park or other open space which can be used instead. Whenever possible, French windows opening direct from the rooms on to a verandah or the garden or yard should be arranged. In some cases it may be possible to provide a roof playground if outdoor space cannot be obtained.

(*b*) The rooms should be arranged with a view to an all-day occupation ; in each of the principal rooms not less than 12 to 15 square feet of floor space per child should be provided. Light and ventilation should receive special attention. A south or south-east aspect is desirable and open-air conditions should be aimed at throughout.

(*c*) The necessary accommodation should be available for the daily inspection of the children, for the preparation and service of meals (though a separate dining-room will not usually be needed) and for suitable arrangements for rest and sleep.

(*d*) Ample provision of cloakroom, lavatory basins, bath-room and sanitary conveniences should be regarded as particularly important. The arrangements should be as simple and economical as possible, designed to permit of convenient supervision of very young children. Assuming a constant supply of hot water, one bath may suffice for, say, 50 children. For about the same number of children four sanitary conveniences should suffice, though in a larger school separate arrangements may be needed for boys of five or six years of age.

The necessary arrangements may be summarised as follows:—

Lavatory.—A row of basins; if fixed, they should be sufficiently low for the children to reach. Enamelled basins on a wooden bench answer satisfactorily if a low sink is provided for emptying. A separate numbered towel for each child, a toothbrush and mug, and a comb are desirable.

Bathroom.—A small slipper bath raised above the ground is probably the most convenient.

Sanitary Conveniences should usually be provided within the building, or in any case connected with it by a covered way. They must be so arranged as to be easily supervised. Low washdown conveniences are suitable. They should be partially screened, so that the children cannot see one another though the assistant can easily supervise them all.

Cloakroom.—It should be possible to dry wet clothing and shoes. Each child should have a separate numbered peg. Washable overalls and slippers may be provided, and are almost essential in wet weather.

18. In present circumstances it will, as a rule, be impracticable to provide buildings specially designed for nursery school purposes. This, however, is not altogether to be regretted; nursery schools for some years to come will be in the experimental stage, and until further experience is available any large expenditure on the provision of special premises could only be justified by very exceptional circumstances. Large special buildings are neither necessary nor desirable, for, in any case, the school should serve a strictly limited area. At first, the Board have no doubt that it will generally be possible to adapt some existing premises for the purpose. Local circumstances will, of course, largely dictate the nature of the premises to be taken, but as far as possible they should be small, homely and accessible; in some cases suitable school buildings may be converted to the use of a nursery school; in others two or more houses may be rented and "knocked together." It is most important that the premises should admit plenty of fresh air and sunshine. Minor alterations

and adaptations will generally be needed, depending in detail on the circumstances of each case.

Apart from the general considerations mentioned above, the Board do not propose at present to lay down any definite building regulations for nursery schools; they will be prepared to consider on their merits any plans which may be submitted; an estimate of the cost should accompany any proposals submitted.

19. The equipment of the children's rooms should be simple, and should include light tables and chairs (of appropriate size, weight, and form), washable rugs, stretcher beds, educational apparatus and toys.

20. *The Size of a Nursery School.*—It is obvious that a nursery school should be small and homelike; it should not be comparable in point of size to most departments of urban public elementary schools. About 40 children is probably the ideal number for a nursery school, but it may sometimes be necessary to provide for more than 40 if the needs of a district are to be at all adequately met. The Board will therefore not refuse to consider proposals for a nursery school providing for as many as 80 to 100 children; but in no case should the number exceed 100.

21. *The Age of Admission and Leaving.*—Under Article 1 (*b*) of the Regulations a child may not be admitted before the age of two years; but it is desirable that children should begin to attend the nursery school soon after that age; good habits are more easily formed and many ailments to which children are liable are more amenable to treatment at an early age. If a child is already in attendance at a day nursery, admission to a nursery school may be deferred until it reaches the age of three years. The Board anticipate that for the present at all events children will usually leave the nursery school at the age of five or more conveniently at the end of the term in which they attain that age. So long as five years remains the age at which compulsory attendance at school begins in an area, the transfer of children from a nursery school at a later age would retard their progress and disturb the organisation of the public elementary school. Moreover, while the

accommodation in nursery schools is limited, as it is likely to be for some time, the interests of the younger children should as a rule take precedence of the interests of children between the age of five and six. In exceptional circumstances, however, it will no doubt be desired to retain children over the age of five. Before assenting under Article 1 (*b*) to such retention the Board will require to be satisfied (1) that the local education authority concur in the arrangement, (2) that the premises and staff are suitable for children over the age of five, and (3) that there are sufficient grounds for the application, *e.g.*, that the children are delicate or require special attention.

22. *Daily Routine.*—The usual hours of opening and closing the school should be respectively somewhat earlier and later than those of the elementary school, so as to allow elder children to bring and fetch their younger brothers and sisters. Occupation should be both individual and collective. Children should be free to develop their own tastes and interests but should also learn to associate with their companions and to control conduct likely to annoy others. They should be carefully trained to be self-reliant and to serve each other, sharing together in a love of persons and things ; and an atmosphere of freedom, happiness and mutual affection should be cultivated. The school should provide the child with a joyous experience in all relations, a simple, clean, and wholesome environment in which it can grow in sociability and naturalness. An essential condition of its success will be its homeliness and its retention of the loyalty and confidence of the mothers of the children. These conditions are intimately related to the health of the children.

23. Three of the most important physical advantages to secure in a nursery school are : (*a*) *nutrition*—good food, fresh air, cleanliness, and healthy bodily habits ; (*b*) *exercise* —by abundance of free play and informal exercise, and the avoidance of finely-adjusted movements ; (*c*) *rest*—by requiring periods of rest in the horizontal attitude, by short and varied lessons, and by suitable chairs and apparatus, the use of which prevents strain or restlessness. The

purpose of the school is not to teach "the three Rs," but by sleep, food and play, to provide the opportunity for little children to lay the foundations of health, good habit and a responsive and receptive personality.

Children should be bathed at least once a week. Heads should be combed regularly. The washing of heads, the cleansing of teeth, and the use of the offices must be closely supervised. The children should be trained in cleanly habits, but encouraged to assist themselves as far as possible.

24. *The Staff.*—The staff of a nursery school will comprise three classes :—

(i.) Superintendents.
(ii.) Adult assistants and nurses.
(iii.) Probationers.

Superintendents.—The success or failure of a nursery school will depend primarily on the superintendent. She should possess adequate knowledge of child-hygiene and should be capable of undertaking responsibility for the physical welfare of children between the ages of two and five years. It is equally important that she should not be expected merely to perform the duty of nurse or matron. Whilst emphasis is laid on her capacity to organise the health side of a nursery school, the superintendent must also be able to direct the training of the children with breadth of outlook and imagination. In short, the work of a superintendent of a nursery school necessarily demands a high standard of capacity and a varied experience both personal and professional. It will not always be easy—especially at first—for local education authorities and managers to find the right person, but the field of choice should be sensibly widened as time goes on. There is evidence that posts in nursery schools will be sought after by teachers and other suitable persons, and special courses of training are being organised for them at training colleges and elsewhere. Where there is any doubt as to the suitability of the candidate selected, it is suggested that her appointment should be provisional. In giving their approval under Article 9 (*a*) of persons nominated as superintendents of nursery schools, the Board do not think

it advisable at the present stage to restrict selection to those who have passed any particular examinations or tests. But they will require to be satisfied with substantial evidence that the candidate chosen is well fitted by education and previous experience for so responsible a post.

25. *Assistant Staff.*—The assistant staff will, it is assumed, be composed partly of women possessing nursing qualifications who will be employed mainly in attending to the physical welfare of the children, especially the younger children, and partly of women who possess qualifications and experience for the training and teaching of young children. The Board anticipate that after the war there will be many women of sufficient general education who have been serving temporarily as nurses in hospitals, day nurseries and infant welfare centres, or as teachers of junior and infant classes, or who have proved their practical capacity in other forms of service, who will be willing to undertake work in nursery schools. The Board hope that provision may be made for special courses of training for these and other members of the staff.

A suitably qualified nurse should usually be attached to a nursery school. She need not be a whole-time officer, but a daily visit is advisable, in order that minor ailments, etc., may be referred to her. One nurse might thus visit five or six schools. The nurse might be dispensed with if the superintendent possessed a sufficient knowledge of children's ailments to undertake the necessary duties.

26. *Probationers.*—It may be expected that some young persons under the age of 18 will wish to take up work in nursery schools with the object of fitting themselves for permanent employment in them or occasionally for employment as children's nurses. Probationers should not be regarded as a form of cheap labour ; their number should be limited ; adequate provision should be made for their training and, if they have not received full time education up to the age of 16, for any necessary attendance at continuation classes.

27. Until further experience has been obtained, the Board do not think it desirable to attempt to prescribe a

precise scale of staffing for nursery schools. They would expect, however, that a nursery school containing 40–50 children would require the services of a superintendent, an experienced assistant, and a probationer. The number suggested would appear to be the minimum, regard being had to the special care and attention that it will be necessary to give to children for whom nursery schools will be provided. In larger schools additional assistance would obviously be required.

28. Finally, it is a matter of the first importance to facilitate the free interchange of teachers between nursery schools and other schools; the creation of a separate caste of nursery school teachers would be a matter of regret in the interests of the teaching profession. The Board have no doubt that local education authorities and managers will bear this in mind when considering the staffing of nursery schools and will encourage persons in their employment to obtain, if they do not already possess, qualifications for work in elementary and other schools and departments for younger children.

29. *The Relation of Nursery Schools to other Institutions.*— It has hitherto been assumed for purposes of convenient description that the nursery school or class will be a separate institution. Proposals may, however, be submitted for the recognition of nursery schools or classes which form part of other organisations. It may, for instance, be desired to establish a nursery school in the same premises as a day nursery or an infant department of a public elementary school. The considerations already mentioned would apply generally to any such proposal with any modifications required by the circumstances of each case. In the case of association with a day nursery, for instance, where the premises would be largely used in common, special importance would attach to the selection of a suitable person as superintendent who could take charge of the whole institution. The Board would be unwilling to recognise a nursery school attached to a day nursery unless there were at least 20 children of two years old and upwards.

30. A proposal to establish a nursery school or class in

the premises of a public elementary school would need careful consideration, and it should generally form the subject of early consultation with the Board. Some parts of the premises, such as the hall and playground, might be used jointly; but adaptation of existing rooms to the use of a nursery school might prove difficult. Alteration in the use of the class-rooms, unless they naturally form a separate enclave, might prejudice the work both of the nursery school and of the public elementary school. The mid-day meal should be regarded as part of the routine of the nursery school and arrangements should be made for the children separately from the provision made for other scholars under the Education (Provision of Meals) Act. In considering a proposal to place the nursery school under the general supervision of the head teacher of the infants' department, the Board would have regard to the qualifications of the teacher as well as to the size of the nursery school and the infants' department. Speaking generally, they would not be disposed to approve such an arrangement if there were more than 400 children in the infants' school or more than 40 in the nursery school.

31. *Grants-in-Aid* will be payable for nursery schools conducted in accordance with the Regulations. Provision is being made in other Regulations for the payment of grants to local education authorities at the rate of one-half of their net expenditure on supplying or aiding the supply of nursery schools. Article 13 of these Regulations provides for the payment of grant at the same rate for nursery schools provided by voluntary managers. The first expenditure taken into account for grant will be that incurred during the year ending 31st March, 1919, and grant will first be payable during the year commencing 1st April, 1919.

L. A. SELBY-BIGGE.

31st December, 1918.

BOARD OF EDUCATION.

Regulations for Nursery Schools.

1.—(*a*) A nursery school (which expression includes a nursery class) for the purposes of these Regulations is an institution which provides for the care and training during the day of young children over two and under five years of age, whose attendance at such a school is necessary or desirable for their healthy physical and mental development.

(*b*) Children may not be admitted to a nursery school below the age of two years; they may not be retained beyond the end of the term in which they attain the age of five, except with the special permission of the Board.

2. An authority for the purposes of these Regulations means a local education authority for the purposes of Part III. of the Education Act, 1902.

3. If a school is not provided by an authority:—

(*a*) The Board before recognising it will consult the authority.

(*b*) It must be conducted by responsible managers, and provision must be made for the appointment of at least one-third of the managers by the authority, where the authority so desire.

A person must be appointed to act as correspondent of the managers.

(*c*) It must be suitable in character and financial position to receive aid from the Board, and must not be conducted for private profit or be farmed out to any member of the staff or other person.

(*d*) It must be open to inspection by the authority.

4. Before recognising a nursery school, the Board will consider its suitability in relation to the needs of the area, its accessibility to the children's homes and the co-ordination of its work with the medical and educational services of the authority.

5. The site, premises and equipment must be approved by the Board as generally suitable for the purposes of a nursery school.

6.—(*a*) The school must be open for not less than 200 days in the year, but due allowance will be made for any period of closure on medical grounds or for any other unavoidable cause.

(*b*) The times of opening and closing must be suitable.

7. Adequate arrangements must be made for attending to the health, nourishment and physical welfare of the children as well as for training appropriate to their age and circumstances. There must be sufficient opportunity for rest, meals and recreation.

8. Satisfactory provision must be made for medical inspection, supervision and treatment and for the prevention of infectious diseases.

9.—(*a*) A nursery school must be under the charge of a competent superintendent. Her appointment must be approved beforehand by the Board.

(*b*) The subordinate staff must be suitable, and sufficient in number and qualifications.

(*c*) The salary of any certificated or uncertificated teachers employed full-time in the school, must be not less than the minimum salary prescribed by the Board for teachers of those grades employed in public elementary schools.

10. No fees shall be charged or other charges of any kind made in a nursery school except for food or medical treatment. A fee, if charged for these purposes, must be reasonable and must not exceed the cost of the food or medical treatment provided.

11.—(*a*) The school must be open at all reasonable times to inspection by the Board.

(*b*) At least a full week's notice must be given to the Board's inspector of any alteration in the time of meeting of the school, or of its closure. In the case of closure on account of an emergency, notice should be given by telegram.

12. Such records must be kept as may from time to time be required by the Board, and any returns called for by the Board must be duly furnished.

13. Where a school is not provided by an authority :—

(*a*) Grant will be payable for each year commencing 1st April at the rate of one-half of the expenditure in that year. The grant will be payable after the end of the year.

(*b*) In determining the expenditure on which grant is payable the Board will reduce the gross expenditure by the amount of any fees received and by the amount of any contributions from an authority ; they will also exclude any items of expenditure which, in their opinion, should not be taken into account for the purposes of grant.

(*c*) Application for the payment of grant must be submitted to the Board through the authority, together with an audited statement of accounts for the period under review.

(*d*) The grant payable in respect of a school which has been closed or which ceases to be recognised, will not, as a rule, exceed the amount of the outstanding liabilities at the date on which the school is closed, or on which recognition ceases.

14. The payment of grant and the continuance of recognition is subject to the fulfilment of the conditions laid down in these regulations, but if any of the conditions have not been fulfilled, the Board may, nevertheless, where there are special circumstances which would justify it, pay such grant as they may think fit instead of withdrawing recognition, or as a preliminary to so doing.

15. If any question arises as to the interpretation of these regulations, the decision of the Board shall be final.

16. These Regulations come into force as from April 1st, 1918, and may be cited as " The Regulations for Nursery Schools, 1919."

Given under the Seal of Office of the Board of Education this 5th day of March, 1919.

(L.S.) L. A. SELBY-BIGGE,
Secretary to the Board of Education.

EDUCATION ACT, 1918.

[8 & 9 GEO. 5, CH. 39.]

An Act to make further provision with respect to Education in England and Wales and for purposes connected therewith. [8th August, 1918.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

National System of Public Education.

1.—With a view to the establishment of a national system of public education available for all persons capable of profiting thereby, it shall be the duty of the council of every county and county borough, so far as their powers extend, to contribute thereto by providing for the progressive development and comprehensive organisation of education in respect of their area, and with that object any such council from time to time may, and shall when required by the Board of Education, submit to the Board schemes showing the mode in which their duties and powers under the Education Acts are to be performed and exercised, whether separately or in co-operation with other authorities.

2.—(1) It shall be the duty of a local education authority so to exercise their powers under Part III. of the Education Act, 1902, as—

(*a*) to make, or otherwise to secure, adequate and suitable provision by means of central schools, central or special classes, or otherwise—

(i.) for including in the curriculum of public elementary schools, at appropriate stages, prac-

tical instruction suitable to the ages, abilities, and requirements of the children ; and

(ii.) for organising in public elemenntary schools courses of advanced instruction for the older or more intelligent children in attendance at such schools, including children who stay at such schools beyond the age of fourteen ;

(*b*) to make, or otherwise to secure, adequate and suitable arrangements under the provisions of paragraph (*b*) of subsection (1) of section thirteen of the Education (Administrative Provisions) Act, 1907, for attending to the health and physical condition of children educated in public elementary schools ; and

(*c*) to make, or otherwise to secure, adequate and suitable arrangements for co-operating with local education authorities for the purposes of Part II. of the Education Act, 1902, in matters of common interest, and particularly in respect of—

(i.) the preparation of children for further education in schools other than elementary, and their transference at suitable ages to such schools ; and

(ii.) the supply and training of teachers ;

and any such authority from time to time may, and shall when required by the Board of Education, submit to the Board schemes for the exercise of their powers as an authority for the purposes of Part III. of the Education Act, 1902.

(2) So much of the definition of the term " elementary school " in section three of the Elementary Education Act, 1870, as requires that elementary education shall be the principal part of the education there given, shall not apply to such courses of advanced instruction as aforesaid.

3.—(1) It shall be the duty of the local education authority for the purposes of Part II. of the Education Act, 1902, either separately or in co-operation with other local education authorities, to establish and maintain, or secure the establishment and maintenance under their control and direction of a sufficient supply of continuation schools in which suitable courses of study, instruction, and physical

training are provided without payment of fees for all young persons resident in their area who are, under this Act, under an obligation to attend such schools.

(2) For the purposes aforesaid the local education authority from time to time may, and shall when required by the Board of Education, submit to the Board schemes for the progressive organisation of a system of continuation schools, and for securing general and regular attendance thereat, and in preparing schemes under this section the local education authority shall have regard to the desirability of including therein arrangements for co-operation with universities in the provision of lectures and classes for scholars for whom instruction by such means is suitable.

(3) The council of any county shall, if practicable, provide for the inclusion of representatives of education authorities for the purposes of Part III. of the Education Act, 1902, in any body of managers of continuation schools within the area of those authorities.

4.—(1) The council of any county, before submitting a scheme under this Act, shall consult the other authorities within their county (if any) who are authorities for the purposes of Part III. of the Education Act, 1902, with reference to the mode in which and the extent to which any such authority will co-operate with the council in carrying out their scheme, and when submitting their scheme shall make a report to the Board of Education as to the co-operation which is to be anticipated from any such authority, and any such authority may, if they so desire, submit to the Board as well as to the council of the county any proposals or representations relating to the provision or organisation of education in the area of that authority for consideration in connection with the scheme of the county.

(2) Before submitting schemes under this Act a local education authority shall consider any representations made to them by parents or other persons or bodies of persons interested, and shall adopt such measures to ascertain their views as they consider desirable, and the authority shall take such steps to give publicity to their proposals as

they consider suitable, or as the Board of Education may require.

(3) A local education authority in preparing schemes under this Act shall have regard to any existing supply of efficient and suitable schools or colleges not provided by local education authorities, and to any proposals to provide such schools or colleges.

(4) In schemes under this Act adequate provision shall be made in order to secure that children and young persons shall not be debarred from receiving the benefits of any form of education by which they are capable of profiting through inability to pay fees.

5.—(1) The Board of Education may approve any scheme (which term shall include an interim, provisional, or amending scheme) submitted to them under this Act by a local education authority, and thereupon it shall be the duty of the local education authority to give effect to the scheme.

(2) If the Board of Education are of opinion that a scheme does not make adequate provision in respect of all or any of the purposes to which the scheme relates, and the Board are unable to agree with the authority as to what amendments should be made in the scheme, they shall offer to hold a conference with the representatives of the authority and, if requested by the authority, shall hold a public inquiry in the matter.

(3) If thereafter the Board of Education disapprove a scheme, they shall notify the authority, and if within one month after such notification an agreement is not reached, they shall lay before Parliament the report of the public inquiry (if any) together with a report stating their reasons for such disapproval and any action which they intend to take in consequence thereof by way of withholding or reducing any grants payable to the authority.

6.—(1) For the purpose of performing any duty or exercising any power under the Education Acts, a council having powers under those Acts may enter into such arrangements as they think proper for co-operation or combination with any other council or councils having such powers, and any such arrangement may provide

for the appointment of a joint committee or a joint body of managers, for the delegation to that committee or body of managers of any powers or duties of the councils (other than the power of raising a rate or borrowing money), for the proportion of contributions to be paid by each council, and for any other matters which appear necessary for carrying out the arrangement.

(2) The Board of Education may, on the application of two or more councils having powers under the Education Acts, by scheme provide for the establishment and (if thought fit) the incorporation of a federation for such purposes of any such arrangements as aforesaid as may be specified in the scheme as being purposes relating to matters of common interest concerning education which it is necessary or convenient to consider in relation to areas larger than those of individual education authorities, and the powers conferred on councils by this section shall include power to arrange for the performance of any educational or administrative functions by such a federation as if it were a joint committee or a joint body of managers :

Provided that no council shall without consent be included in a scheme establishing a federation, and no council shall be obliged to continue in a federation except in accordance with the provisions of a scheme to which it has consented.

(3) A scheme made by the Board of Education constituting a federation, and an arrangement establishing a joint committee or a joint body of managers, shall provide for the appointment of at least two-thirds of the members by councils having powers under the Education Acts, and may provide either directly or by co-optation for the inclusion of teachers or other persons of experience in education and of representatives of universities or other bodies.

(4) A scheme constituting a federation may on the application of one or more of the councils concerned be modified or repealed by a further scheme, and, where a scheme provides for the discontinuance of a federation, provision may be made for dealing with any property or liabilities of the federation.

(5) Where any arrangement under this section provides for the payment of an annual contribution by one council to another, the contribution shall, for the purposes of section nineteen of the Education Act, 1902, form part of the security on which money may be borrowed under that section.

7. The limit under section two of the Education Act, 1902, on the amount to be raised by the council of a county out of rates for the purpose of education other than elementary shall cease to have effect.

Attendance at School and Employment of Children and Young Persons.

8.—(1) Subject as provided in this Act, no exemption from attendance at school shall be granted to any child between the ages of five and fourteen years, and any enactment giving a power, or imposing a duty, to provide for any such exemption, and any provision of a byelaw providing for any such exemption, shall cease to have effect, without prejudice to any exemptions already granted. Any byelaw which names a lower age than fourteen as the age up to which a parent shall cause his child to attend school shall have effect as if the age of fourteen were substituted for that lower age.

(2) In section seventy-four of the Elementary Education Act, 1870, as amended by section six of the Elementary Education Act, 1900, fifteen years shall be substituted for fourteen years as the maximum age up to which byelaws relating to school attendance may require parents to cause their children to attend school, and any such byelaw requiring attendance at school of children between the ages of fourteen and fifteen may apply either generally to all such children, or to children other than those employed in any specified occupations :

Provided that it shall be lawful for a local education authority to grant exemption from the obligation to attend school to individual children between the ages of fourteen and fifteen for such time and upon such conditions as the authority think fit in any case where after due inquiry the circumstances seem to justify such an exemption.

(3) It shall not be a defence to proceedings relating to school attendance under the Education Acts or any bye-laws made thereunder that a child is attending a school or institution providing efficient elementary instruction unless the school or institution is open to inspection either by the local education authority or by the Board of Education, and unless satisfactory registers are kept of the attendance of the scholars thereat.

(4) A local education authority may with the approval of the Board of Education make a byelaw under section seventy-four of the Elementary Education Act, 1870, providing that parents shall not be required to cause their children to attend school or to receive efficient elementary instruction in reading, writing, and arithmetic before the age of six years :

Provided that in considering any such byelaw the Board shall have regard to the adequacy of the provision of nursery schools for the area to which the byelaw relates, and shall, if requested by any ten parents of children attending public elementary schools for that area, hold a public inquiry for the purpose of determining whether the byelaw should be approved.

(5) Notwithstanding anything in the Education Acts the Board of Education may, on the application of the local education authority, authorise the instruction of children in public elementary schools till the end of the school term in which they reach the age of sixteen or (in special circumstances) such later age as appears to the Board desirable :

Provided that, in considering such application, the Board shall have regard to the adequacy and suitability of the arrangements made by the authority under paragraphs (*a*) and (*c*) of sub-section (1) of section two of this Act and to the effective development and organisation of all forms of education in the area, and to any representations made by the managers of schools.

(6) The power of a local education authority under section seven of the Education Act, 1902, to give directions as to secular instruction shall include the power to direct that any child in attendance at a public elementary school

shall attend during such hours as may be directed by the authority at any class, whether conducted on the school premises or not, for the purpose of practical or special instruction or demonstration, and attendance at such a class shall, where the local education authority so direct, be deemed for the purpose of any enactment or byelaw relating to school attendance to be attendance at a public elementary school:

Provided that, if by reason of any such direction a child is prevented on any day from receiving religious instruction in the school at the ordinary time mentioned in the time-table, reasonable facilities shall be afforded, subject to the provisions of section seven of the Elementary Education Act, 1870, for enabling such child to receive religious instruction in the school at some other time.

(7) In section eleven of the Elementary Education Act, 1876 (which relates to school attendance), for the words "there is not within two miles" there shall be substituted the words "there is not within such distance as may be prescribed by the byelaws."

(8) Nothing in this section shall affect the provisions of the Elementary Education (Blind and Deaf Children) Act, 1893, or the Elementary Education (Defective and Epileptic Children) Acts, 1899 to 1914, relating to the attendance at school of the children to whom those Acts apply.

9.—(1) If a child who is attending or is about to attend a public elementary school or a school certified by the Board of Education under the Elementary Education (Blind and Deaf Children) Act, 1893, or the Elementary Education (Defective and Epileptic Children) Acts, 1899 to 1914, attains any year of age during the school term, the child shall not, for the purpose of any enactment or byelaw, whether made before or after the passing of this Act, relating to school attendance, be deemed to have attained that year of age until the end of the term.

(2) The local education authority for the purposes of Part III. of the Education Act, 1902, may make regulations with the approval of the Board of Education providing that a child may, in such cases as are prescribed by the regulations, be refused admission to a public elementary school or

such certified school as aforesaid except at the commencement of a school term.

10.—(1) Subject as hereinafter provided, all young persons shall attend such continuation schools at such times, on such days, as the local education authority of the area in which they reside may require, for three hundred and twenty hours in each year, distributed as regards times and seasons as may best suit the circumstances of each locality, or, in the case of a period of less than a year, for such number of hours distributed as aforesaid as the local education authority, having regard to all the circumstances, consider reasonable :

Provided that—

(*a*) the obligation to attend continuation schools shall not, within a period of seven years from the appointed day on which the provisions of this section come into force, apply to young persons between the ages of sixteen and eighteen, nor after that period to any young person who has attained the age of sixteen before the expiration of that period ; and

(*b*) during the like period, if the local education authority so resolve, the number of hours for which a young person may be required to attend continuation schools in any year shall be two hundred and eighty instead of three hundred and twenty:

(2) Any young person—

(i.) who is above the age of fourteen years on the appointed day ; or

(ii. who has satisfactorily completed a course of training for, and is engaged in, the sea service in accordance with the provisions of any national scheme which may hereafter be established, by Order in Council or otherwise, with the object of maintaining an adequate supply of well-trained British seamen, or, pending the establishment of such scheme, in accordance with the provisions of any interim scheme approved by the Board of Education ; or

(iii.) who is above the age of sixteen years and either—

(*a*) has passed the matriculation examination

of a university of the United Kingdom or an examination recognised by the Board of Education for the purposes of this section as equivalent thereto ; or

(*b*) is shown to the satisfaction of the local education authority to have been up to the age of sixteen under full-time instruction in a school recognised by the Board of Education as efficient or under suitable and efficient full-time instruction in some other manner,

shall be exempt from the obligation to attend continuation schools under this Act unless he has informed the authority in writing of his desire to attend such schools and the authority have prescribed what school he shall attend.

(3) The obligation to attend continuation schools under this Act shall not apply to any young person—

(i.) who is shown to the satisfaction of the local education authority to be under full-time instruction in a school recognised by the Board of Education as efficient or to be under suitable and efficient full-time instruction in some other manner ; or

(ii.) who is shown to the satisfaction of the local education authority to be under suitable and efficient part-time instruction in some other manner for a number of hours in the year (being hours during which if not exempted he might be required to attend continuation schools) equal to the number of hours during which a young person is required under this Act to attend a continuation school.

(4) Where a school supplying secondary education is inspected by a British university, or in Wales or Monmouthshire by the Central Welsh Board, under regulations made by the inspecting body after consultation with the Board of Education, and the inspecting body reports to the Board of Education that the school makes satisfactory provision for the education of the scholars, a young person who is attending, or has attended, such a school shall for the purposes of this section be treated as if he were attending, or had attended, a school recognised by the Board of Education as efficient.

(5) If a young person who is or has been in any school or educational institution, or the parent of any such young person, represents to the Board that the young person is entitled to exemption under the provisions of this section, or that the obligation imposed by this section does not apply to him, by reason that he is or has been under suitable and efficient instruction, but that the local education authority have unreasonably refused to accept the instruction as satisfactory, the Board of Education shall consider the representation, and, if satisfied that the representation is well founded, shall make an order declaring that the young person is exempt from the obligation to attend a continuation school under this Act for such period and subject to such conditions as may be named in the order :

Provided that the Board of Education may refuse to consider any such representation unless the local education authority or the Board of Education are enabled to inspect the school or educational institution in which the instruction is or has been given.

(6) The local education authority may require, in the case of any young person who is under an obligation to attend a continuation school, that his employment shall be suspended on any day when his attendance is required, not only during the period for which he is required to attend the school, but also for such specified part of the day, not exceeding two hours, as the authority consider necessary in order to secure that he may be in a fit mental and bodily condition to receive full benefit from attendance at the school : Provided that, if any question arises between the local education authority and the employer of a young person whether a requirement made under this subsection is reasonable for the purposes aforesaid, that question shall be determined by the Board of Education, and, if the Board of Education determine that the requirement is unreasonable, they may substitute such other requirement as they think reasonable.

(7) The local education authority shall not require any young person to attend a continuation school on a Sunday, or on any day or part of a day exclusively set apart for religious observance by the religious body to which he

belongs, or during any holiday or half-holiday to which by any enactment regulating his employment or by agreement he is entitled, nor so far as practicable during any holiday or half-holiday which in his employment he is accustomed to enjoy, nor between the hours of seven in the evening and eight in the morning : Provided that the local education authority may, with the approval of the Board, vary those hours in the case of young persons employed at night or otherwise employed at abnormal times.

(8) A local education authority shall not, without the consent of a young person, require him to attend any continuation school held at or in connection with the place of his employment. The consent given by a young person for the purpose of this provision may be withdrawn by one month's notice in writing sent to the employer and to the local education authority.

Any school attended by a young person at or in connection with the place of his employment shall be open to inspection either by the local education authority or by the Board of Education at the option of the person or persons responsible for the management of the school.

(9) In considering what continuation school a young person shall be required to attend a local education authority shall have regard, as far as practicable, to any preference which a young person or the parent of a young person under the age of sixteen may express, and, if a young person or the parent of a young person under the age of sixteen represents in writing to the local education authority that he objects to any part of the instruction given in the continuation school which the young person is required to attend, on the ground that it is contrary or offensive to his religious belief, the obligation under this Act to attend that school for the purpose of such instruction shall not apply to him, and the local education authority shall, if practicable, arrange for him to attend some other instruction in lieu thereof or some other school.

11.—(1) If a young person fails, except by reason of sickness or other unavoidable cause, to comply with any requirement imposed upon him under this Act for attendance at a continuation school, he shall be liable on summary

conviction to a fine not exceeding five shillings, or, in the case of a second or subsequent offence, to a fine not exceeding one pound.

(2) If a parent of a young person has conduced to or connived at the failure on the part of the young person to attend a continuation school as required under this Act, he shall, unless an order has been made against him in respect of such failure under section ninety-nine of the Children Act, 1908, be liable on summary conviction to a fine not exceeding two pounds, or, in the case of a second or subsequent offence, whether relating to the same or another young person, to a fine not exceeding five pounds.

12.—(1) The Board of Education may from time to time make regulations prescribing the manner and form in which notice is to be given as to the continuation school (if any) which a young person is required to attend, and the times of attendance thereat, and as to the hours during which his employment must be suspended, and providing for the issue of certificates of age, attendance and exemption, and for the keeping and preservation of registers of attendance, and generally for carrying into effect the provisions of this Act relating to continuation schools.

(2) For the purposes of the provisions of this Act relating to continuation schools, the expression " year " means in the case of any young person the period of twelve months reckoned from the date when he ceased to be a child, or any subsequent period of twelve months.

13.—(1) The Employment of Children Act, 1903, so far as it relates to England and Wales, shall be amended as follows :—

(i.) For subsection (1) of section three the following subsection shall be substituted :—

> " A child under the age of twelve shall not be employed ; and a child of the age of twelve or upwards shall not be employed on any Sunday for more than two hours, or on any day on which he is required to attend school before the close of school hours on that day, nor on any day before six o'clock in the morning or after eight o'clock in the evening :

" Provided that a local authority may make a byelaw permitting, with respect to such occupations as may be specified, and subject to such conditions as may be necessary to safeguard the interests of the children, the employment of children of the age of twelve or upwards before school hours and the employment of children by their parents, but so that any employment permitted by byelaw on a school day before nine in the morning shall be limited to one hour, and that if a child is so employed before nine in the morning he shall not be employed for more than one hour in the afternoon " :

(ii.) In subsection (2) of section three, which prohibits the employment of a child under the age of eleven years in street trading, the words " under the age of eleven years " shall be repealed :

(iii.) For section twelve the following section shall be substituted—

" Except as regards the City of London, the powers and duties of a local authority under this Act shall be deemed to be powers and duties under Part III. of the Education Act, 1902, and the provisions of the Education Acts for the time being in force with regard to those powers and duties and as to the manner in which the expenses of an authority under that Part of that Act shall be paid shall apply accordingly " :

(iv.) For the definition of the expression " local authority " there shall be substituted the following definition :—

" The expression ' local authority ' means in the case of the City of London the mayor, aldermen, and commons of that city in common council assembled and elsewhere the local education authority for the purposes of Part III. of the Education Act, 1902."

(2) The Prevention of Cruelty to Children Act, 1904, so far as it relates to England and Wales, shall be amended as follows :—

(i.) In paragraph (*b*) of section two, which restricts the employment of boys under the age of fourteen years of age and of girls under the age of sixteen years for the purpose of singing, playing or performing, or being exhibited for profit, or offering anything for sale, between nine p.m. and six a.m., "eight p.m." shall be substituted for "nine p.m." so far as relates to children under fourteen years of age :

(ii.) In paragraph (*c*) of section two, which restricts the employment of children under eleven years for the purpose of singing, playing or performing, or being exhibited for profit, or offering anything for sale, twelve years shall be substituted for eleven years :

(iii.) In section three, which relates to licences for the employment of children exceeding ten years of age, the age of twelve years shall be substituted for the age of ten years :

(iv.) A licence under section three to take part in any entertainment or series of entertainments, instead of being granted, varied, added to, or rescinded as provided by that section, shall be granted by the local education authority for the purposes of Part III. of the Education Act, 1902, of the area in which the child resides, subject to such restrictions and conditions as are prescribed by rules made by the Board of Education, and may be rescinded by the authority of any area in which it takes effect or is about to take effect if the restrictions and conditions of the licence are not observed, and, subject as aforesaid, may be varied or added to by that authority at the request of the holder of the licence :

(v.) The holder of a licence shall at least seven days before a child takes part in any entertainment or series of entertainments furnish the local education authority of the area in which the entertainment is to take place with particulars of the licence and such other information as the Board of Education may by rules prescribe, and if he fails to furnish

such particulars and information as aforesaid he shall be liable on summary conviction to a fine not exceeding five pounds :

(vi.) Subsections (3) and (4) of section three shall cease to apply with respect to licences to take part in an entertainment or series of entertainments :

(vii.) If the applicant for a licence or a person to whom a licence has been granted feels aggrieved by any decision of a local education authority, he may appeal to the Board of Education, who may thereupon exercise any of the powers conferred on a local education authority by this section :

(viii.) The provisions of this subsection shall not apply to any licence in force on the appointed day :

(ix.) References to the Employment of Children Act, 1903, shall be construed as references to that Act as amended by this Act.

14. No child within the meaning of this Act shall be employed—

(*a*) in any factory or workshop to which the Factory and Workshop Acts, 1901 to 1911, apply ; or

(*b*) in any mine to which the Coal Mines Act, 1911, applies ; or

(*c*) in any mine or quarry to which the Metalliferous Mines Acts, 1872 and 1875 apply ;

unless lawfully so employed on the appointed day ; and those Acts respectively shall have effect as respects England and Wales as if this provision, so far as it relates to the subject-matter thereof, was incorporated therewith.

15.—(1) The local education authority, if they are satisfied by a report of the school medical officer or otherwise that any child is being employed in such a manner as to be prejudicial to his health or physical development, or to render him unfit to obtain the proper benefit from his education, may either prohibit, or attach such conditions as they think fit to, his employment in that or any other manner, notwithstanding that the employment may be authorised under the other provisions of this Act or any other enactment.

(2) It shall be the duty of the employer and the parent

of any child who is in employment, if required by the local education authority, to furnish to the authority such information as to his employment as the authority may require, and, if the parent or employer fails to comply with any requirement of the local education authority or wilfully gives false information as to the employment, he shall be liable on summary conviction to a fine not exceeding forty shillings.

16. If any person—

(*a*) employs a child in such a manner as to prevent the child from attending school according to the Education Acts and the byelaws in force in the district in which the child resides ; or

(*b*) having received notice of any prohibition or restriction as to the employment of a child issued by a local education authority under this Act, employs a child in such a manner as to contravene the prohibition or restriction ; or

(*c*) employs a young person in such a manner as to prevent the young person attending a continuation school which he is required to attend under this Act ; or

(*d*) employs a young person at any time when in pursuance of any requirement under this Act issued by a local education authority, the employment of that young person must be suspended ;

he shall be deemed to have employed the child or young person in contravention of the Employment of Children Act, 1903, and subsections (1) and (2) of section five and section six and section eight of that Act shall apply accordingly as if they were herein re-enacted and in terms made applicable to children and young persons within the meaning of this Act as well as to children within the meaning of that Act.

Extension of Powers and Duties.

17. For the purpose of supplementing and reinforcing the instruction and social and physical training provided by the public system of education, and without prejudice to any other powers, a local education authority for the purposes

of Part III. of the Education Act, 1902, as respects children attending public elementary schools, and a local education authority for the purposes of Part II. of that Act as respects other children and young persons and persons over the age of eighteen attending educational institutions, may, with the approval of the Board of Education, make arrangements to supply or maintain or aid the supply or maintenance of—

(*a*) holiday or school camps, especially for young persons attending continuation schools ;

(*b*) centres and equipment for physical training, playing fields (other than the ordinary playgrounds of public elementary schools not provided by the local education authority), school baths, school swimming baths ;

(*c*) other facilities for social and physical training in the day or evening.

18.—(1) The local education authority for the purposes of Part II. of the Education Act, 1902, shall have the same duties and powers with reference to making provision for the medical inspection and treatment of children and young persons attending—

(i.) secondary schools provided by them ;

(ii.) any school to the governing body of which, in pursuance of any scheme made under the Welsh Intermediate Education Act, 1889, any payments are made out of any general fund administered by a local education authority as a governing body under that Act, and any school of which a local education authority are the governing body under that Act ;

(iii.) continuation schools under their direction and control ; and

(iv.) such other schools or educational institutions (not being elementary schools) provided by them as the Board direct ;

as a local education authority for the purposes of Part III. of the Education Act, 1902, have under paragraph (*b*) of subsection (1) of section thirteen of the Education (Administrative Provisions) Acts, 1907, with reference to children attending public elementary schools, and may exercise the

like powers as respects children and young persons attending any school or educational institution, whether aided by them or not, if so requested by or on behalf of the persons having the management thereof.

(2) The Local Education Authorities (Medical Treatment) Act, 1909, shall apply where any medical treatment is given in pursuance of this section as it applies to treatment given in pursuance of section thirteen of the Education (Administrative Provisions) Act, 1907.

19.—(1) The powers of local education authorities for the purposes of Part III. of the Education Act, 1902, shall include power to make arrangements for—

(*a*) supplying or aiding the supply of nursery schools (which expression shall include nursery classes) for children over two and under five years of age, or such later age as may be approved by the Board of Education, whose attendance at such a school is necessary or desirable for their healthy physical and mental development ; and

(*b*) attending to the health, nourishment, and physical welfare of children attending nursery schools.

(2) Notwithstanding the provisions of any Act of Parliament the Board of Education may, out of moneys provided by Parliament, pay grants in aid of nursery schools, provided that such grants shall not be paid in respect of any such school unless it is open to inspection by the local education authority, and unless that authority are enabled to appoint representatives on the body of managers to the extent of at least one-third of the total number of managers, and before recognising any nursery school the Board shall consult the local education authority.

20. A local education authority shall make arrangements under the Elementary Education (Defective and Epileptic Children) Acts, 1899 to 1914, for ascertaining what children in their area are physically defective or epileptic within the meaning of those Acts, and the provisions of the Elementary Education (Defective and Epileptic Children) Act, 1914, relating to mentally defective children, shall be extended so as to apply to physically defective and epileptic children, and accordingly that Act shall have effect as if references

therein to mentally defective children included references to physically defective and epileptic children.

21. Where a local education authority for the purposes of Part III. of the Education Act, 1902, are satisfied in the case of any children that, owing to the remoteness of their homes or the conditions under which the children are living, or other exceptional circumstances affecting the children, those children are not in a position to receive the full benefit of education by means of the ordinary provision made for the purpose by the authority, the authority may, with the approval of the Board of Education, make such arrangements, either of a permanent or temporary character, and including the provision of board and lodging, as they think best suited for the purpose of enabling those children to receive the benefit of efficient elementary education, and may for that purpose enter into such agreement with the parent of any such child as they think proper :

Provided that where a child is boarded out in pursuance of this section the local education authority shall, if possible and, if the parent so requests, arrange for the boarding out being with a person belonging to the religious persuasion of the child's parents.

22. Section one of the Education (Choice of Employment) Act, 1910, which confers on certain local education authorities the power of assisting boys and girls with respect to the choice of employment, shall have effect as if " eighteen years of age " were therein substituted for " seventeen years of age."

23. With a view to promoting the efficiency of teaching and advanced study, a local education authority for the purposes of Part II. of the Education Act, 1902, may aid teachers and students to carry on any investigation for the advancement of learning or research in or in connection with an educational institution, and with that object may aid educational institutions.

24. It is hereby declared that the powers as to the provision of scholarships conferred by subsection (2) of section twenty-three of the Education Act, 1902, and by section eleven of the Education (Administrative Provisions) Act,

1907, include a power to provide allowances for maintenance.

25. A local education authority shall not, in exercise of the powers conferred upon them by paragraph (*b*) of subsection (1) of section thirteen of the Education (Administrative Provisions) Act, 1907, or by this Act, establish a general domiciliary service of treatment by medical practitioners for children or young persons, and in making arrangements for the treatment of children and young persons a local education authority shall consider how far they can avail themselves of the services of private medical practitioners.

Abolition of Fees in Public Elementary Schools.

26.—(1) No fees shall be charged or other charges of any kind made in any public elementary school, except as provided by the Education (Provision of Meals) Act, 1906, and the Local Education Authorities (Medical Treatment) Act, 1909.

(2) During a period of five years from the appointed day the Board of Education shall in each year, out of moneys provided by Parliament, pay to the managers of a school maintained but not provided by a local education authority in which fees were charged immediately before the appointed day, the average yearly sum paid to the managers under section fourteen of the Education Act, 1902, during the five years immediately preceding the appointed day.

(3) Nothing in this Act shall affect the provisions of section nine of the Elementary Education (Blind and Deaf Children) Act, 1893, or of section eight of the Elementary Education (Defective and Epileptic Children) Act, 1899.

Administrative Provisions.

27. If the governing body of any school or educational institution not liable to inspection by any Government department, or, if there is no governing body, the headmaster, requests the Board of Education to inspect the school or institution and to report thereon, the Board of Education may do so, if they think fit, free of cost; but

this section shall be without prejudice to the provisions relating to the Central Welsh Board contained in subsection (1) of section three of the Board of Education Act, 1899.

28.—(1) In order that full information may be available as to the provisions for education and the use made of such provision in England and Wales,—

(*a*) It shall be the duty of the responsible person as hereinafter defined, in respect of every school or educational institution not in receipt of grants from the Board of Education, to furnish to the Board of Education in a form prescribed by the Board—

(i.) in the case of a school or educational institution existing at the appointed day, within three months of that day ;

(ii.) in the case of a school or educational institution opened after the appointed day, within three months of the opening thereof ;

the name and address of the school or institution and a short description of the school or institution.

(*b*) It shall be the duty of every such responsible person when required by the Board of Education to furnish to the Board such further particulars with respect to the school or institution as may be prescribed by regulations made by the Board :

Provided that the Board may exempt from both or either of the above obligations any schools or educational institutions with respect to which the necessary information is already in the possession of the Board or is otherwise available.

(2) If the responsible person fails to furnish any information required by this section, he shall be liable on summary conviction to a penalty not exceeding ten pounds, and to a penalty not exceeding five pounds for every day on which the failure continues after conviction therefor.

(3) For the purposes of this section " the responsible person " means the secretary or person performing the duty of secretary to the governing body of the school or institution, or, if there is no governing body, the headmaster or

person responsible for the management of the school or institution.

(4) Any regulations made by the Board of Education under this section with respect to the particulars to be furnished shall be laid before Parliament as soon as may be after they are made.

29.—(1) Notwithstanding anything in the Education Act, 1902, the appointment of all teachers of secular subjects not attached to the staff of any particular public elementary school and teachers appointed for the purpose of giving practical instruction, pupil teachers, and student teachers, shall be made by the local education authority, and it is hereby declared that the local education authority have power to direct the managers of any public elementary schools not provided by them to make arrangements for the admission of any such teachers to the schools.

(2) The provisions of subsection (3) of section seven of the Education Act, 1902, shall apply to any question which arises under this section between the local education authority and the managers of a school.

30.—(1) The managers of a public elementary school not provided by the local education authority, if they wish to close the school, shall give eighteen months' notice to the local education authority of their intention to close the school, and a notice under this provision shall not be withdrawn except with the consent of the local education authority.

(2) If the managers of a school who have given such a notice are unable or unwilling to carry on the school up to the expiration of the period specified in the notice, the school house shall be put at the disposal of the local education authority, if the authority so desire, for the whole or any part of the period, free of charge, for the purposes of a school provided by them, but subject to an obligation on the part of the authority to keep the school house in repair and to pay any outgoings in respect thereof, and to allow the use of the school house and the school furniture by the persons who were the managers of the school to the like extent and subject to the like conditions as if the school had continued to be carried on by those managers.

The use by the authority of the school house during such period for the purposes of a school provided by them shall not be deemed, for the purposes of section eight of the Education Act, 1902, to constitute the provision of a new school.

31. Where there are two or more public elementary schools not provided by the local education authority of the same denominational character in the same locality, the local education authority, if they consider that it is expedient for the purpose of educational efficiency and economy, may, with the approval of the Board of Education, give directions for the distribution of the children in those schools according to age, sex, or attainments, and otherwise with respect to the organisation of the schools ; and for the grouping of the schools under one body of managers constituted in the manner provided by subsection (2) of section twelve of the Education Act, 1902 :

Provided that, if the constitution of the body of managers falls to be determined by the Board of Education under that section, the Board shall observe the principles and proportions prescribed by sections six and eleven of that Act ; and that, if the managers of a school affected by any directions given under this section request a public inquiry, the Board shall hold a public inquiry before approving those directions.

32.—(1) Notwithstanding the provisions of section six of the Education Act, 1902, or, in the case of London, subsection (1) of section two of the Education (London) Act, 1903, as to the appointment of managers, any public elementary school which in the opinion of the Board is organised for the sole purpose of giving advanced instruction to older children may be managed in such manner as may be approved by the local education authority, and, in the case of a school not provided by that authority, also by the managers of the school.

(2) Notwithstanding anything contained in sections six and eight of the Education Act, 1902, or in section two of the Education (London) Act, 1903, the provision of premises for classes in practical or advanced instruction for children attending from more than one public elementary school

shall not be deemed to be the provision of a new public elementary school, and any class conducted in such premises may be managed in such manner as may be approved by the local education authority.

33. Except as expressly provided by this Act, nothing in this Act shall affect the provisions of the Education Acts relating to public elementary schools not provided by the local education authority or the provisions of Part II. of the Education Act, 1902.

34.—(1) A local education authority may be authorised to purchase land compulsorily for the purpose of any of their powers or duties under the Education Acts, by means of an order submitted to the Board of Education and confirmed by the Board in accordance with the provisions contained in paragraphs (1) to (13) of the First Schedule to the Housing, Town Planning, &c., Act, 1909, and those provisions shall have effect for the purpose, with the substitution of the Board of Education for the Local Government Board, of the local education authority for the local authority, and of references to the Education Acts for references to " this Act " :

Provided that—

(*a*) the Board of Education shall not confirm any such order even when unopposed if they are of opinion that the land is unsuited for the purpose for which it is proposed to be acquired ;

(*b*) by an order for the compulsory purchase of land in the administrative county of London shall be subject to the provisions of subsection (2) of section two of the Education (London) Act, 1903 ;

(*c*) an order for the compulsory purchase of land which by section forty-five of the Housing, Town Planning, &c., Act, 1909, is exempt from compulsory acquisition for the purposes of Part III. of the Housing of the Working Classes Act, 1890, shall be provisional only and shall not have effect unless and until it is confirmed by Parliament.

(2) The powers given by this section in relation to the compulsory purchase of land by the local education authority shall be in substitution for any other powers

existing for that purpose, but without prejudice to any powers conferred by any Provisional Order confirmed by Parliament before the appointed day.

35. A local education authority may, with the consent of the Board of Education, who shall consult the authority of the area in which the proposed site is situated, provide a public elementary school, in cases where it appears convenient to do so, on a site outside their area for the use of children within their area, and for the purposes of the Education Acts a school so provided shall be deemed to be situated within the area of the authority.

36.—(1) It shall not be obligatory on a county council to charge on or raise within particular areas any portion of such expenses as are mentioned in paragraph (*c*) or paragraph (*d*) of subsection (1) of section eighteen of the Education Act, 1902, and accordingly each of those paragraphs shall have effect as if for the word "shall" there was substituted the word "may" and as if the words "less than one half or" were omitted therefrom; and, where before the passing of this Act, any portion of such expenses has been charged on or allocated to any area, the county council may cancel or vary the charge or allocation.

(2) Before charging any expenses under section eighteen (1) (*a*) of the Education Act, 1902, on any area situate within a borough or urban district the council of which is an authority for the purposes of Part III. of the Education Act, 1902, a county council shall consult the council of the borough or urban district concerned.

37. Any expenses incurred by a council in connection with any Provisional Order for the purposes of the Education Acts, or any Order under this Act for the purpose of the acquisition of land, shall be defrayed as expenses of the council under the Education Act, 1902, and the council shall have the same power of borrowing for the purpose of those expenses as they have under section nineteen of the Education Act, 1902, for the purpose of the expenses therein mentioned.

38. Any council having powers under the Education Acts may, subject to regulations made by the Board of

Education, defray as part of their expenses under those Acts any reasonable expenses incurred by them in paying subscriptions towards the cost of, or otherwise in connection with, meetings or conferences held for the purpose of discussing the promotion and organisation of education or educational administration, and the attendance of persons nominated by the council at any such meeting or conference: Provided that—

(*a*) the expenses of more than three persons in connection with any meeting or conference shall not be paid except with the previous sanction of the Board of Education;

(*b*) payments for travelling expenses and subsistence shall be in accordance with the scale adopted by the council;

(*c*) expenses shall not be paid in respect of any meeting or conference outside the United Kingdom unless the Board of Education have sanctioned the attendance of persons nominated by the council at the meeting or the conference;

(*d*) no expenses for any purpose shall be paid under this section without the approval of the Board of Education, unless expenditure for the purpose has been specially authorised or ratified by resolution of the council, after special notice has been given to members of the council of the proposal to authorise or ratify the expenditure, or, where a council has delegated its powers under this section to the education committee, by resolution of that committee after like notice has been given to the members thereof.

39. The powers of a local education authority for the purposes of Part III. of the Education Act, 1902, shall include a power to prosecute any person under section twelve of the Children Act, 1908, where the person against whom the offence was committed was a child within the meaning of this Act, and to pay any expenses incidental to the prosecution.

40.—(1) The Board of Education may hold a public inquiry for the purpose of the exercise of any of their powers

or the performance of any of their duties under the Education Acts.

(2) The following provisions shall (except as otherwise provided by the Education Acts) apply to any public inquiry held by the Board of Education :—

(*a*) The Board shall appoint a person or persons to hold the inquiry :

(*b*) The person or persons so appointed shall hold a sitting or sittings in some convenient place in the neighbourhood to which the subject of the inquiry relates, and thereat shall hear, receive, and examine any evidence and information offered, and hear and inquire into the objections or representations made respecting the subject matter of the inquiry, with power from time to time to adjourn any sitting :

(*c*) Notice shall be published in such manner as the Board direct of every such sitting, except an adjourned sitting, seven days at least before the holding thereof :

(*d*) The person or persons so appointed shall make a report in writing to the Board setting forth the result of the inquiry and the objections and representations, if any, made thereat, and any opinion or recommendations submitted by him or them to the Board :

(*e*) The Board shall furnish a copy of the report to any local education authority concerned with the subject matter of the inquiry, and, on payment of such fee as may be fixed by the Board, to any person interested :

(*f*) The Board may, where it appears to them reasonable that such an order should be made, order the payment of the whole or any part of the costs of the inquiry either by any local education authority to whose administration the inquiry appears to the Board to be incidental, or by the applicant for the inquiry, and may require the applicant for an inquiry to give security for the costs thereof :

(*g*) Any order so made shall certify the amount to be

paid by the local education authority or the applicant, and any amount so certified shall, without prejudice to the recovery thereof as a debt due to the Crown, be recoverable by the Board summarily as a civil debt from the authority or the applicant as the case may be.

41. The minutes of the proceedings of a local education authority and, where a local education authority delegate to their education committee any powers and the acts and proceedings of the education committee as respects the exercise of those powers are not required to be submitted to the council for their approval, the minutes of the proceedings of the education committee relating to the exercise of those powers, shall be open to the inspection of any ratepayer at any reasonable time during the ordinary hours of business on payment of a fee of one shilling, and any ratepayer may make a copy thereof or take an extract therefrom.

42.—(1) For the yearly sum payable to the Central Welsh Board under the scheme regulating the intermediate and technical education fund of any county, as defined by the Welsh Intermediate Education Act, 1889, there shall be substituted—

(*a*) a yearly sum equal to a percentage not exceeding twenty-two and a half per cent. fixed from time to time at a uniform rate for every county by the Central Welsh Board of the sum produced by a rate of one halfpenny in the pound for the preceding year, calculated in the manner provided by subsection (3) of section eight of the Welsh Intermediate Education Act, 1899 ; and

(*b*) a yearly sum equal to five per cent. of the net income for the preceding year of any endowment comprised in the intermediate and technical education fund of the county, or, in the alternative, for each year during such period as may be agreed with the Central Welsh Board, such yearly sum as that Board may agree to accept in lieu thereof.

(2) For the purpose of ascertaining the said net income there shall be deducted from the gross income all proper

expenses and outgoings in respect of administration and management of the endowment (including charges for interest on and repayment of loans and replacement of capital), and any sums required by the scheme to be treated as capital, and the term "endowment" shall include augmentations acquired by the investment of surplus income whether derived from endowment or county rate, or from any other source, but not property occupied for the purposes of the scheme.

(3) The power of charging capitation fees for scholars offered for examination conferred on the Central Welsh Board by the scheme of the thirteenth day of May, eighteen hundred and ninety-six, regulating the Central Welsh Intermediate Education Fund shall cease.

(4) The provisions of this section shall have effect and be construed as part of the schemes regulating the Central Welsh Intermediate Education Fund and the intermediate and technical education funds of counties in Wales and Monmouthshire, and may be repealed or altered by future schemes accordingly.

43. All orders, certificates, notices, requirements, and documents of a local education authority under the Education Acts, if purporting to be signed by the clerk of the authority or of the education committee, or by the director of, or secretary for, education, shall until the contrary is proved be deemed to be made by the authority and to have been so signed, and may be proved by the production of a copy thereof purporting to have been so signed.

Education Grants.

44.—(1) The Board of Education shall, subject to the provisions of this Act, by regulations provide for the payment to local education authorities out of moneys provided by Parliament of annual substantive grants in aid of education of such amount and subject to such conditions and limitations as may be prescribed in the regulations, and nothing in any Act of Parliament shall prevent the Board of Education from paying grants to an authority in respect of any expenditure which the authority may lawfully incur.

(2) Subject to the regulations made under the next succeeding subsection, the total sums paid to a local education authority out of moneys provided by Parliament and the local taxation account in aid of elementary education or education other than elementary, as the case may be, shall not be less than one half of the net expenditure of the authority recognised by the Board of Education as expenditure in aid of which parliamentary grants should be made to the authority, and, if the total sums payable out of those moneys to an authority in any year fall short of one half of that expenditure, there shall be paid by the Board of Education to that authority, out of moneys provided by Parliament, a deficiency grant equal to the amount of the deficiency, provided that a deficiency grant shall not be so paid as to make good to the authority any deductions made from a substantive grant.

(3) The Board of Education may make regulations for the purpose of determining how the amount of any deficiency grant payable under this section shall be ascertained and paid, and those regulations shall, if the Treasury so direct, provide for the exclusion in the ascertainment of that amount of all or any sums paid by any Government department other than the Board of Education and of all or any expenditure which in the opinion of the Board of Education is attributable to a service in respect of which payments are made by a Government department other than the Board of Education.

(4) The fee grant under the Elementary Education Act, 1891, as amended by the Elementary Education (Fee Grant) Act, 1916, the aid grant under section ten of the Education Act, 1902, and the small population grant under section nineteen of the Elementary Education Act, 1876, as amended by the Education Code (1890) Act, 1890, and the Education (Small Population Grants) Act, 1915, shall cease on the appointed day.

(5) If, by reason of the failure of an authority to perform its duties under the Education Acts or to comply with the conditions on which grants are made, the deficiency grant is reduced or a deduction is made from any substantive grant exceeding five hundred pounds or the amount which

would be produced by a rate of halfpenny in the pound whichever is the less, the Board of Education shall cause to be laid before Parliament a report stating the amount of and the reasons for the reduction or deduction.

(6) Any regulations made by the Board of Education for the payment of grants shall be laid before Parliament as soon as may be after they are made.

Educational Trusts.

45.—(1) His Majesty may by Order in Council constitute and incorporate with power to hold land without licence in mortmain one or more official trustees of educational trust property, and may apply to the trustee or trustees so constituted the provisions of the Charitable Trusts Acts, 1853 to 1914, relating to the official trustee of charitable lands and the official trustees of charitable funds so far as they relate to endowments which are held for or ought to be applied to educational purposes.

(2) On the constitution of an official trustee or official trustees of educational trust property,—

(*a*) all land or estates or interests in land then vested in the official trustee of charity lands which are held by him as endowments for solely educational purposes, and

(*b*) all securities then vested in the official trustees of charitable funds which those trustees certify to be held by them as endowments for solely educational purposes,

shall by virtue of this Act vest in the official trustee or trustees of educational trust property upon the trusts and for the purposes for which they were held by the official trustee of charity lands and the official trustees of charitable funds, and, on such a certificate by the official trustees of charitable funds as aforesaid being sent to the person having charge of the books or registers in which any such securities are inscribed or registered, that person shall make such entries in the books or registers as may be necessary to give effect to this section.

(3) If any question arises as to whether an endowment or any part of an endowment is held for or ought to be

applied to solely educational purposes, the question shall be determined by the Charity Commissioners.

46.—(1) Any assurance, as defined by section ten of the Mortmain and Charitable Uses Act, 1888, of land or personal estate to be laid out in the purchase of land for educational purposes, whether made before or after the passing of this Act, shall be exempt from any restrictions of the law relating to Mortmain and Charitable Uses, and the Mortmain and Charitable Uses Acts, 1888 and 1891, and the Mortmain and Charitable Uses Act Amendment Act, 1892, shall not apply with respect to any such assurance.

(2) Subsection (1) of section ten of the Technical and Industrial Institutions Act, 1892, so far as it relates to the enrolment in the books of the Charity Commissioners of every conveyance or assurance of land for the purposes of institutions established under that Act, is hereby repealed.

(3) Every assurance of land or personal estate to be laid out in the purchase of land for educational purposes, including every assurance of land to any local authority for any educational purpose or purposes for which such authority is empowered by any Act of Parliament to acquire land, shall be sent to the offices of the Board of Education in London for the purpose of being recorded in the books of the Board as soon as may be after the execution of the deed or other instrument of assurance, or in the case of a will after the death of the testator.

47. Where under any scheme made before the passing of this Act relating to an educational charity, the approval of the Board of Education is required to the exercise by the trustees under the scheme of a power of appointing new trustees, the scheme shall, except in such cases as the Board may otherwise direct, have effect as if no such approval was required thereunder, and the Board may by order make such modifications of any such scheme as may be necessary to give effect to this provision.

General.

48.—(1) In this Act, unless the context otherwise requires,—

The expression " child " means any child up to the age

when his parents cease to be under an obligation to cause him to receive efficient elementary instruction or to attend school under the enactments relating to elementary education and the byelaws made thereunder ;

The expression " young person " means a person under eighteen years of age who is no longer a child ;

The expression " parent " in relation to a young person includes guardian and every person who is liable to maintain or has the actual custody of the young person ;

The expression " practical instruction " means instruction in cookery, laundrywork, housewifery, dairywork, handicrafts, and gardening, and such other subjects as the Board declare to be subjects of practical instruction ;

The expression " school term " means the term as fixed by the local education authority ;

The expression " sea service " has the same meaning as in the Merchant Shipping Acts, 1894 to 1916, and includes sea-fishing service ;

Other expressions have the same meaning as in the Education Acts.

(2) In the Education Acts the expressions " employ " and " employment " used in reference to a child or young person include employment in any labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or young person or to any other person.

49. Section one hundred and twenty of the Local Government Act, 1888, which relates to compensation to existing officers, shall apply to officers serving under local education authorities at the passing of this Act who, by virtue of this Act or anything done in pursuance or in consequence of this Act, suffer direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, subject as follows :—

(*a*) Teachers in public elementary schools maintained by a local education authority shall be deemed to be officers serving under that authority ;

(*b*) References to a county council shall include references to a borough or urban district council ;

(*c*) The reference to " the passing of this Act " shall be construed as a reference to the date when the loss arose ;

(*d*) The reference to the Acts and rules relating to His Majesty's civil service shall be construed as a reference to the Acts and rules which were in operation at the date of the passing of the Local Government Act, 1888 ; and

(*e*) Any expenses shall be paid by the council under whom the officer was serving at the date when the loss arose out of the fund or rate out of which the expenses of the council under the Education Acts are paid, and, if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a council may borrow for the purposes of those Acts.

50. The provisions of the Education Acts mentioned in the first column of the First Schedule to this Act shall apply with respect to young persons, continuation schools, and the Education Acts and instruments made thereunder in like manner as they apply with respect to children, elementary schools, and the enactments mentioned in those provisions and instruments made under those enactments, and accordingly those provisions shall have effect as set out and modified in the second column of that schedule.

51. The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

52.—(1) This Act may be cited as the Education Act, 1918, and shall be read as one with the Education Acts, 1870 to 1916, and those Acts and this Act may be cited together as the Education Acts, 1870 to 1918, and are in this Act referred to as " the Education Acts."

(2) This Act shall not extend to Scotland or Ireland.

(3) This Act shall come into operation on the appointed day, and the appointed day shall be such day as the Board of Education may appoint, and different days may be appointed for different purposes and for different provi-

sions of this Act, for different areas or parts of areas, and for different persons or classes of persons :

Provided that the appointed day for the purposes of subsections (1) and (2) of section eight shall not be earlier than the termination of the present war, and for the purposes of paragraph (iii) of subsection (2) of section thirteen shall not be earlier than three years after the passing of this Act, and that for a period of seven years from the appointed day the duty of the council of a county (other than the London County Council) shall not include a duty to establish certified schools for boarding and lodging physically defective and epileptic children.

SCHEDULES

FIRST SCHEDULE.

EXTENSION OF ENACTMENTS.

Enactment extended.	Enactment as extended.
Elementary Education Act, 1870.	
s. 36	Every local education authority may, if they think fit, appoint an officer or officers to enforce the Education Acts and any bye-laws, orders, or other instruments made thereunder with reference to the attendance of children or young persons at school.
s. 81	Certificates, notices, requisitions, orders, precepts, and all documents required by the Education Acts or any regulations or byelaws made thereunder to be served or sent may, unless otherwise expressly provided, be served and sent by post, and, till the contrary is proved, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post ; and in proving such service or sending it shall be sufficient to prove that the letter containing the certificate, notice,

Enactment extended.	Enactment as extended.
Elementary Education Act, 1870—*contd.*	requisition, order, precept, or document was prepaid, and properly addressed, and put into the post.
s. 84	After the expiration of three months from the date of any order or requisition of the Board of Education under the Education Acts such order or requisition shall be presumed to have been duly made, and to be within the powers of the Education Acts, and no objection to the legality thereof shall be entertained in any legal proceeding whatever.
Elementary Education Act, 1873.	
s. 24	With respect to proceedings before a court of summary jurisdiction for offences and penalties under the Education Acts or any byelaws made thereunder the following provisions shall have effect:—
	* * * *
	(4) Any justice may require by summons any parent or employer of a child or young person, required by the Education Acts or by any byelaws, orders, or other instruments made thereunder to attend school, to produce the child or young person before a court of summary jurisdiction, and any person failing, without reasonable excuse to the satisfaction of the court, to comply with such summons shall be liable to a penalty not exceeding twenty shillings.
	(5) A certificate purporting to be under the hand of the principal teacher of a public elementary or continuation school, stating that a child or young person is or is not attending such school, or stating the particulars of the attendance of a child or young person at such school, shall be evidence of the facts stated in such certificate.
	(6) Where a child or young person is apparently of the age alleged for the purposes of the proceedings, it shall lie on the defendant to prove that the

Enactment extended.	Enactment as extended.
Elementary Education Act. 1873—*contd.*	child or young person is not of such age. * * * * (8) Where a local education authority are, by reason of the default of the managers or proprietor of an elementary or continuation school, unable to ascertain whether a child or young person who is resident within the district of such local education authority and attends such school attends school in conformity with the Education Acts or any byelaws, orders, or other instruments made thereunder, it shall lie on the defendant to show that the child or young person has attended school in conformity with the said Acts, byelaws, orders, or other instruments.
Elementary Education Act, 1876. s. 38	No legal proceedings for non-attendance or irregular attendance at school shall be commenced in a court of summary jurisdiction by any person appointed to carry out the Education Acts or any byelaws made thereunder, except by the direction of not less than two members of the education committee of a local education authority, or of any subcommittee appointed by that committee for school attendance purposes.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
33 & 34 Vict. c. 75.	The Elementary Education Act, 1870.	Section seventeen. In section twenty from the beginning of subsection (2) to the end of subsection (8). Section fifty-two. Sections sixty-seven to seventy-two. Section seventy-three. In section seventy-four the words " (3) Providing for the remission or payment of the whole or any part of the fees of any child where the parent satisfies the school board that he is unable from poverty to pay the same "; and the words from " Provided that any byelaw " down to the words " specified in such byelaw." Section ninety-four. Section ninety-seven from " Provided that no such minute " to the end of the section.
35 & 36 Vict. c. 27.	The Elementary Education Act Amendment Act, 1872.	The whole Act.
36 & 37 Vict. c. 86.	The Elementary Education Act, 1873.	Section fifteen. Section nineteen. Subsections (3) and (7) of section twenty-four, and in subsection (5) the words " or stating that a child has been certified by one of Her Majesty's Inspectors to have reached a particular standard of education."
39 & 40 Vict c. 79.	The Elementary Education Act, 1876.	Section five. Section six.

Session and Chapter.	Short Title.	Extent of Repeal.
39 & 40 Vict. c. 79.	The Elementary Education Act, 1876—*contd.*	Section seven from "Provided that" to the words by "information and otherwise." Section nine. Section ten. In section eleven the words "who is under this Act prohibited from being taken into full time employment." Section nineteen. In section twenty-four from the beginning of the section down to "the parent of such child"; and the words "and the persons by whom and the form in which certificates of the said proficiency and due attendance are to be granted, and with respect to other matters relating thereto"; and the words "and other records of such proficiency and attendance." Section twenty-eight. Section twenty-nine. Section thirty-five. In section thirty-seven the words from "And every person who shall fraudulently" down to "not exceeding fourteen days." Section thirty-nine. Section forty. Section forty-five. Section forty-six. Section forty-seven. Section fifty. The First Schedule.
43 & 44 Vict. c. 23.	The Elementary Education Act, 1880.	Section four. Section five.
53 & 54 Vict. c. 22.	The Education Code (1890) Act, 1890.	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 56.	The Elementary Education Act, 1891.	The whole Act.
55 & 56 Vict. c. 29.	The Technical and Industrial Institutions Act, 1892.	In section ten the words " but every such conveyance or assurance shall be enrolled as soon as may be in the books of the Charity Commissioners."
56 & 57 Vict. c. 51.	The Elementary Education (School Attendance) Act, 1893.	The whole Act.
60 & 61 Vict. c. 32.	The School Board Conference Act, 1897.	The whole Act.
62 & 63 Vict. c. 13.	The Elementary Education (School Attendance) Act (1893) Amendment Act, 1899.	The whole Act.
63 & 64 Vict. c. 53.	The Elementary Education Act, 1900.	Section one. In section six the words " and in section four of the Elementary Education Act, 1880." Section seven.
1 Edw. 7, c. 11.	The Education Act, 1901.	The whole Act.
1 Edw. 7, c. 22.	The Factory and Workshop Act, 1901.	Sections sixty-eight to seventy-two except as respects children lawfully employed in factories and workshops at the commencement of this Act and except as respects Scotland and Ireland.
2 Edw. 7, c. 19.	The Education Act (1901) (Renewal) Act, 1902.	The whole Act.
2 Edw. 7, c. 42.	The Education Act, 1902.	In subsection (1) of section two from " Provided that the amount " to the end of the subsection. Subsection (5) of section seven from " and in any case " to the end of the subsection.

Session and Chapter.	Short Title.	Extent of Repeal.
2 Edw 7, c. 42.	The Education Act, 1902—*contd.*	Section ten. Section fourteen. Subsection (7) of section seventeen. Subsection (1) of section twenty-one. In subsection (2) thereof the words " or provisional order," in subsection (3) thereof the words " or any provisional order made for the purposes of such a scheme." Subsections (5) and (10) of section twenty-three. In the Third Schedule, paragraph (1) from " except as respects " to the end of the paragraph, and paragraph (5).
3 Edw. 7, c. 10.	The Education (Provision of Working Balances) Act, 1903.	The whole Act.
3 Edw. 7, c. 24.	The Education (London) Act, 1903.	In the First Schedule, paragraphs (2) and (7).
7 Edw. 7, c. 43.	The Education (Administrative Provisions) Act, 1907.	Section four, without prejudice to the legality of anything retrospectively legalised thereby. In subsection (1) of section fourteen the words " or a ground of exemption for the purposes of section nine of the latter Act."
9 Edw. 7, c. 29.	The Education (Administrative Provisions) Act, 1909.	Section three, without prejudice to the legality of anything retrospectively legalised thereby.
5 & 6 Geo 5 c. 95.	The Education (Small Population Grants) Act, 1915.	The whole Act.
6 & 7 Geo. 5, c. 35.	The Elementary Education (Fee Grant) Act, 1916.	The whole Act.

APPOINTED DAYS.

The following Orders have been made by the Board of Education under powers conferred on them by sect 52 (3) of the Act :—

BOARD OF EDUCATION.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

WHEREAS by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act, it is enacted subject to certain provisions not material for the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint the date of the passing of the Act as the appointed day for the purposes of the sections mentioned in the first column of the Schedule hereto to the extent and subject to the exceptions (if any) contained in the third column of the Schedule hereto.

Given under the seal of office of the Board of Education this 8th day of August, 1918.

L. A. SELBY-BIGGE.

L.S.

SCHEDULE.

Section 7 ..	Provision as to amount of expenditure for education.	.. The whole section.
„ 8 ..	Provisions as to compulsory attendance at elementary schools.	.. Sub-sections (6), (7) and (8).
„ 15 ..	Further restrictions on employment of children.	.. The whole section.
„ 16 ..	Penalties on illegal employment of children and young persons.	.. The whole section except paragraphs (c) and (d).
„ 17 ..	Power to promote social and physical training.	.. The whole section.
„ 18 ..	Medical inspection of schools and educational institutions.	.. The whole section except in so far as it imposes a duty on Local Education Authorities.
„ 19 ..	Nursery schools.	.. The whole section.
„ 21 ..	Powers for the education of children in exceptional circumstances.	.. The whole section.
„ 23 ..	Power to aid research.	.. The whole section.
„ 24 ..	Provision of maintenance allowances.	.. The whole section.
„ 25 ..	Provisions as to medical treatment.	.. The whole section.
„ 27 ..	Voluntary inspection of schools	.. The whole section.
„ 29 ..	Provisions with respect to appointment of certain classes of teachers.	.. The whole section.
„ 30 ..	Provisions as to closing of schools.	.. The whole section.
„ 31 ..	Grouping of non-provided schools of the same denominational character.	.. The whole section.
„ 32 ..	Provisions relating to central schools and classes.	.. The whole section.
„ 33 ..	Saving for non-provided schools.	.. The whole section.
„ 34 ..	Acquisition of land by local education authority.	.. The whole section.
„ 35 ..	Power to provide elementary schools outside area.	.. The whole section.
„ 36 ..	Amendment with respect to the allocation of expenses to particular areas.	.. The whole section.

SCHEDULE—*continued.*

Section	37 ..	Provisions as to expenses of Provisional Orders, etc.	.. The whole section.
,,	39 ..	Power to pay expenses of prosecution for cruelty.	.. The whole section.
,,	40 ..	Public inquiries by Board of Education.	.. The whole section except so far as relates to any inquiry pending at the date of the passing of the Act.
,,	41 ..	Inspection of minutes.	.. The whole section.
,,	43 ..	Evidence of certificates, etc., issued by local education authorities.	.. The whole section.
,,	45 ..	Power to constitute official trustees of educational trust property.	.. The whole section.
,,	46 ..	Exemption of assurance of property for educational purposes from certain restrictions under the Mortmain Acts.	.. The whole section.
,,	47 ..	Appointment of new trustees under scheme.	.. The whole section.
,,	48 ..	Definitions.	.. The whole section.
,,	49 ..	Compensation to existing officers.	.. The whole section.
,,	50 ..	Extension of certain provisions of the Education Acts.	.. The whole section so far as is necessary to give effect to the provisions of this Order.
,,	51 ..	Repeals.	.. The whole section so far as is necessary to give effect to the provisions of this Order.
,,	52 ..	Short title, construction, extent, and commencement.	.. The whole section.

BOARD OF EDUCATION.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

WHEREAS by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act,

it is enacted subject to certain provisions not material for the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint the first day of October, 1918, as the appointed day for the purposes of the sections mentioned in the first column of the Schedule hereto to the extent specified in the third column of the Schedule hereto.

Given under the seal of office of the Board of Education this 27th day of September, 1918.

L.S.

SCHEDULE.

Section 44 .. Education grants.	..	Subsection (4) so far as it relates to the Small Population Grant under section 19 of the Elementary Education Act, 1876, as amended by the Education Code (1890) Act, 1890, and the Education (Small Population Grants) Act, 1915.
Section 51 .. Repeals.	..	So far as it repeals section 19 of the Elementary Education Act, 1876, the Education Code (1890) Act, 1890, and the Education (Small Population Grants) Act, 1915.

BOARD OF EDUCATION.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

WHEREAS by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act, it is enacted subject to certain provisions not material for

the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint—

(1) the first day of November 1918 as the appointed day for the purposes of the sections mentioned in the first column of Part I. of the First Schedule hereto to the extent specified in the third column of that Part and in Part II. of that Schedule;

(2) the first day of April 1919 as the appointed day for the purposes of the sections mentioned in the first column of Part I. of the Second Schedule hereto to the extent specified in the third column of that Part and in Part II. of that Schedule.

Given under the seal of office of the Board of Education this 1st day of November, 1918.

L. A. SELBY-BIGGE.

L.S.

FIRST SCHEDULE (APPOINTED DAY 1ST NOVEMBER, 1918).

PART I. Sections of the Act to come into operation.

Section 6.	Provisions as to co-operation and combination.	The whole section.
,, 44.	Education Grants.	Subsection (6).
,, 51.	Repeals.	So far as it repeals the enactments mentioned in Part II. of this Schedule to the extent specified in the second column of that part except so far as the repeal of those enactments has already taken effect.

FIRST SCHEDULE.—*continued.*

PART II. Repeals referred to in the foregoing part of this Schedule.

ENACTMENTS.	EXTENT OF REPEAL.
The Elementary Education Act, 1870.	In section twenty from the beginning of subsection (2) to the end of subsection (8). Section fifty-two. Sections sixty-seven to seventy-two. Section seventy-three, except so far as relates to any public inquiry pending at the date of the passing of the Education Act, 1918. Section ninety-four. Section ninety - seven from "Provided that no such minute" to the end of the section.
The Elementary Education Act Amendment Act, 1872.	The whole Act.
The Elementary Education Act, 1873.	Section fifteen. Section nineteen.
The Elementary Education Act, 1876.	Section forty-five.
The Technical and Industrial Institutions Act, 1892.	In section ten the words "but every such conveyance or assurance shall be enrolled as soon as may be in the books of the Charity Commissioners."
The Education Act, 1901.	The whole Act.
The Education Act (1901) (Renewal) Act, 1902.	The whole Act.
The Education Act, 1902.	In subsection (1) of section two from "Provided that the amount" to the end of the subsection. Subsection (5) of section seven from "and in any case" to the end of the subsection. Subsection (7) of section seventeen. Subsection (1) of section twenty-one. In subsection (2) thereof the words "or provisional order," in subsection (3) thereof the

FIRST SCHEDULE—PART II.—*continued.*

ENACTMENTS.	EXTENT OF REPEAL.
The Education Act, 1902—*contd.*	words "or any provisional order made for the purposes of such a scheme." Subsection (5) of section twenty-three. Subsection (10) of section twenty-three, except so far as relates to any public inquiry pending at the date of the passing of the Education Act, 1918. In the Third Schedule, paragraph (1), from "except as respects" to the end of the paragraph.
The Education (Provision of Working Balances) Act, 1903.	The whole Act.
The Education (London) Act, 1903.	In the First Schedule, paragraphs (2) and (7).
The Education (Administrative Provisions) Act, 1907.	Section four, without prejudice to the legality of anything retrospectively legalised thereby.
The Education (Administrative Provisions) Act, 1909.	Section three, without prejudice to the legality of anything retrospectively legalised thereby.

SECOND SCHEDULE (APPOINTED DAY 1ST APRIL, 1919).

PART I. Sections of the Act to come into operation.

Section 26.	Abolition of fees in public elementary schools.	The whole section.
,, 42.	Payments to the Central Welsh Board.	The whole section.
,, 44.	Education Grants.	Subsections (1), (2) and (3). Subsection (4) except so far as it relates to the small population grant. Subsection (5).
,, 51.	Repeals.	So far as it repeals the enactments mentioned in Part II. of this Schedule to the extent specified in the second column of that Part.

SECOND SCHEDULE—*continued.*

PART II. Repeals referred to in the foregoing part of this Schedule.

ENACTMENTS.	EXTENT OF REPEAL.
The Elementary Education Act, 1870.	Section seventeen.
	In section seventy-four the words " (3) Providing for the remission or payment of the whole or any part of the fees of any child where the parent satisfies the school board that he is unable from poverty to pay the same."
The Elementary Education Act, 1876	Section ten.
	Section thirty-five.
	In section thirty-seven the words from " And every person who shall fraudulently " down to " not exceeding fourteen days."
	Section forty.
The Elementary Education Act, 1891.	The whole Act.
The Elementary Education Act, 1900.	Section one.
The Education Act, 1902.	Section ten.
	Section fourteen.
	In the Third Schedule, paragraph (5).
The Elementary Education (Fee Grant) Act, 1916.	The whole Act.

BOARD OF EDUCATION.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

WHEREAS by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act, it is enacted subject to certain provisions not material for the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different

purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint the twenty-seventh day of November, 1918, as the appointed day for the purposes of the section mentioned in the first column of the Schedule hereto to the extent specified in the third column of the Schedule hereto.

Given under the seal of office of the Board of Education this 27th day of November, 1918.

L.S. L. A. SELBY-BIGGE.

SCHEDULE.

Section 22 ..	Amendment of Education (Choice of Employment) Act, 1910.	.. The whole section.

BOARD OF EDUCATION.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

WHEREAS by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act, it is enacted subject to certain provisions not material for the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint the second day of December, 1918, as the appointed day for the purposes of the sections mentioned in the first column of the Schedule hereto to the extent specified in the third column of the Schedule hereto.

Given under the seal of office of the Board of Education this 2nd day of December, 1918.

L.S. L. A. SELBY-BIGGE.

SCHEDULE.

Section 8 .. Provisions as to attendance at elementary schools.	..	Subsection (3).
„ 38 .. Expenses of education meetings, conferences, etc.	..	The whole section.
„ 51 .. Repeals.	..	So far as it repeals subsections (3) and (7) of section 24 of the Elementary Education Act, 1873, and the School Board Conference Act, 1897

Board of Education.

Order fixing Appointed Days under Subsection (3) *of Section Fifty-two of the Education Act,* 1918.

Whereas by subsection (3) of section fifty-two of the Education Act, 1918, hereinafter referred to as the Act, it is enacted subject to certain provisions not material for the purposes of this Order that the Act shall come into operation on the appointed day and that the appointed day shall be such day as the Board of Education may appoint and different days may be appointed for different purposes and for different provisions of the Act, for different areas or parts of areas, and for different persons or classes of persons.

Now the Board of Education pursuant to the Act hereby appoint—

(1) the first day of February, 1919, as the appointed day for the purposes of the section mentioned in the first column of Part I. of the Schedule hereto to the extent specified in the third column of that Part ;

(2) the first day of April, 1919, as the appointed day for the purposes of the section mentioned in the first column

of Part II. of the Schedule hereto to the extent specified in the third column of that Part.

Given under the seal of office of the Board of Education this fifteenth day of January, 1919.

L.S. L. A. SELBY-BIGGE.

SCHEDULE.

PART I.

Section 9 ..	Provisions for avoidance of broken school terms.	.. The whole section.
Section 13 ..	Amendment of 3 Edw. 7, c. 45, and 4 Edw. 7, c. 15.	.. Paragraphs (iii.) and (iv.) of subsection (1).

APPOINTED DAYS.

National System of Public Education. SECTION	APPOINTED DAYS.
1. Progressive and comprehensive organisation of education.	1st August, 1919.
2. Development of education in public elementary schools.	1st August, 1919.
3. Establishment of continuation schools.	1st August, 1919.
4. Preparation and submission of schemes.	1st August, 1919.
5. Approval of schemes by Board of Education.	1st August, 1919.
6. Provisions as to co-operation and combination.	1st November, 1918.
7. Provision as to amount of expenditure for education.	8th August, 1918.
Attendance at School and Employment of Children and Young Persons.	
8. Provisions as to attendance at elementary schools.	8th August, 1918 [s.s. (6), (7) and (8)]; 2nd December, 1918 [s.s. (3)]; 1st August, 1919 [s.s. (4) and (5)]; s.s. (1) and (2) not earlier than termination of present war.

SECTION	APPOINTED DAYS.
9. Provisions for avoidance of broken school terms.	1st February, 1919.
10. Compulsory attendance at continuation schools.	Compulsion will not be applied to persons over sixteen for a period of seven years after the appointed day.
11. Enforcement of attendance at continuation schools.	——
12. Administrative provisions relating to continuation schools.	——
13. Amendment of 3 Edw. 7, c. 45, and 4 Edw. 7, c. 15.	1st April, 1919 [s.s. (1) (iii.) and (iv.)]; s.s. (2) (iii.), not earlier than three years from passing of the Act.
14. Prohibition against employment of children in factories, workshops, mines, and quarries.	——
15. Further restrictions on employment of children.	8th August, 1918.
16. Penalties on illegal employment of children and young persons.	8th August, 1918, except paragraphs (*c*) and (*d*).
Extension of Powers and Duties.	
17. Power to promote social and physical training.	8th August, 1918.
18. Medical inspection of schools and educational institutions.	8th August, 1918 [except so far as a *duty* is imposed on local educational authorities].
19. Nursery schools	8th August, 1918.
20. Education of physically defective and epileptic children.	County councils, other than the London County Council, will not be required to provide boarding schools for defective and epileptic children for a period of seven years from the appointed day.
21. Powers for the education of children in exceptional circumstances.	8th August, 1918.
22. Amendment of Education (Choice of Employment) Act, 1910.	27th November, 1918.
23. Power to aid research	8th August, 1918.

SECTION	APPOINTED DAYS.
24. Provision of maintenance allowances.	8th August, 1918.
25. Provisions as to medical treatment.	8th August, 1918.
Abolition of Fees in Public Elementary Schools.	
26. Abolition of fees in public elementary schools.	1st April, 1919.
Administrative Provisions.	
27. Voluntary inspection of schools	8th August, 1918.
28. Collection of information respecting schools.	1st April, 1919.
29. Provisions with respect to appointment of certain classes of teachers.	8th August, 1918.
30. Provisions as to closing of schools	8th August, 1918.
31. Grouping of non-provided schools of the same denominational character.	8th August, 1918.
32. Provisions relating to central schools and classes.	8th August, 1918.
33. Saving for certain statutory provisions.	8th August, 1918.
34. Acquisition of land by local education authority.	8th August, 1918.
35. Power to provide elementary schools outside area.	8th August, 1918.
36. Amendments with respect to the allocation of expenses to particular areas.	8th August, 1918.
37. Provisions as to expenses of Provisional Orders, &c.	8th August, 1918.
38. Expenses of education meetings, conferences, &c.	2nd December, 1918.
39. Power to pay expenses of prosecution for cruelty.	8th August, 1918.
40. Public inquiries by Board of Education.	8th August, 1918.
41. Inspection of minutes	8th August, 1918.
42. Payments to the Central Welsh Board.	1st April, 1919.
43. Evidence of certificates, &c., issued by local education authorities.	8th August, 1918

SECTION	APPOINTED DAYS.
Education Grants.	
44. Education grants	1st October, 1918 [s.s. (4), so far as it relates to the Small Populations Grant under section 19 of the Elementary Education Act, 1876, as amended by the Education Code (1890) Act, 1890, and the Education (Small Populations Grant), 1915. 1st November, 1918 [s.s. (6)]. 1st April, 1919 [s.s. (1), (2), (3); s.s. (4), except so far as it relates to the Small Population Grant; and s.s. (5)].
Educational Trusts.	
45. Power to constitute official trustees of educational trust property.	8th August 1918.
46. Exemption of assurance of property for educational purposes from certain restrictions under the Mortmain Acts.	8th August, 1918.
47. Appointment of new trustee under scheme.	8th August, 1918.
General.	
48. Definitions	8th August, 1918.
49. Compensation to existing officers	8th August, 1918.
50. Extension of certain provisions of the Education Acts.	8th August, 1918 [so far as is necessary to give effect to operative sections on that date.]
51. Repeals	8th August, 1918 [so far as is necessary to give effect to operative sections on that date]. 1st November, 1918. [For repeals set out on pp. 156 *et seq.*, *supra*.] 2nd December, 1918. [For repeals set out on p. 160, *supra*.] 1st April, 1919. [For repeals set out on p. 158, *supra*.]
52. Short title, construction, extent, and commencement.	8th August, 1918.

Grant Regulations, No. 7.

ENGLAND AND WALES.

BOARD OF EDUCATION.

Provisional Regulations made by the Board of Education for the Payment of Grants in respect of Special Schools and Evening Play Centres not provided by Local Education Authorities in England and Wales.

The Board of Education hereby certify under section 2 of the Rules Publication Act, 1893, that on account of urgency the following Regulations should come into operation forthwith as Provisional Regulations, until Regulations have been made in accordance with the provisions of the Rules Publication Act, 1893.

The Board of Education hereby make the following Regulations to come into operation forthwith as Provisional Regulations.

Cessation of Grants under existing Regulations.

1. All grants payable to the managers of special schools and evening play centres, not provided by local education authorities, under the existing Regulations named in this Article will cease on 1st April, 1919, and no such grant will fall due in respect of any period after 31st March, 1919. The existing Regulations are as follows :—

(*a*) Medical Grant Regulations, Part II. (Medical Treatment and Care of Children attending certain special schools).

(*b*) Regulations for Special Schools (*i.e.*, schools for blind, deaf, defective and epileptic children).

(*c*) Regulations for Evening Play Centres.

2. Grants to the managers of special schools and evening play centres, not provided by local education authorities, in respect of the year ending 31st March, 1919, and based upon the work done and the payments made (and in the case of special schools on the attendances made) will be payable under the Regulations named in Article 1. These grants will be the last grants under those Regulations and they

will be payable, when the necessary returns have been received, after 31st March, 1919.

Grants for the year commencing 1st April, 1919.

3. (*a*) Subject to the fulfilment of the conditions of the Special School Regulations for the year commencing 1st April, 1919, grant will be payable to managers of schools not provided by authorities and will be based on average attendance. The grant will be payable after the end of the year.

(*b*) The average attendance to be taken into account for grant will be that during the year, and will be obtained by dividing the total number of attendances made in that period by the number of meetings of the school during the period, a fraction of a unit being ignored or reckoned as an additional unit according as it is or is not less than one-half.

(*c*) In calculating the average attendance, no attendances shall be included which are made by a child—

(i.) for or on account of whom a payment is made by an Authority;

(ii.) for or on account of whom grant is payable by the Home Office, the Local Government Board, or other Government Department;

(iii.) before completing two years of age, or after the end of the term in which the child completes sixteen years of age.

4. (*a*) The grant for blind and deaf children will be payable at the rate of:—

(i.) £8 10*s.* for each unit of average attendance in a certified day school.

(ii.) £16 10*s.* for each unit of average attendance at a certified boarding school.

(*b*) The grant for defective and epileptic children will be payable at the rate of:—

(i.) £7 10*s.* for each unit of average attendance at a certified day school.

(ii.) £15 10*s.* for each unit of average attendance at a certified boarding school.

5. The grant for an open-air school for children suffering from tuberculosis, debility or pre-tubercular conditions,

who by reason of their physical condition are likely to derive special benefit from attendance at such a school, may be increased by £9 for each unit of average attendance in the case of a residential school, and by £4 for each unit of average attendance in the case of a day school. In determining the rate of grant payable under this Article the Board will have special regard to the efficiency and suitability of the arrangements made for the medical treatment and care of children.

6. (*a*) Grant will be payable at the day school rate for children attending boarding schools as day scholars.

(*b*) If the period for which grant is payable is shorter than a year, the average attendance on which the grant is calculated will be reduced in proportion to the length of that period reckoned in months or days of a month.

7. (*a*) Subject to the fulfilment of the Regulations for Evening Play Centres for the year commencing 1st April, 1919, grant will be payable to the managers of an evening play centre not provided by an authority. It will be based on the work done and the payments made during that year. Where in the Board's opinion the centre is conducted efficiently and with due regard to economy, the grant may be paid at a rate not exceeding one-half of the expenditure. The grant will be payable after the end of the year.

(*b*) In determining the expenditure to be taken into account for grant, the Board will deduct the amount of any contributions received from an authority, and will exclude any items which in their opinion should not be taken into account for the purposes of grant.

(*c*) Application for the payment of grant must be submitted to the Board through the authority, together with an audited statement of accounts for the year.

8. If a school or centre, not provided by an authority, has been closed or ceases to be recognised, the grant will not, as a rule, exceed the amount of the outstanding liabilities at the date on which the school or centre is closed or on which recognition ceases.

9. The payment of grant and the continuance of recognition are subject to the fulfilment of the conditions laid down in these Regulations, but if any of the conditions have not

been fulfilled the Board may, nevertheless, where there are special circumstances which would justify it, pay such grant as they may think fit instead of withdrawing recognition or as a preliminary to so doing.

10. If any question arises as to the interpretation of these Regulations or as to the fulfilment of any of the conditions specified, the decision of the Board shall be final.

11. These Regulations may be referred to as Grant Regulations, No. 7.

Given under the Seal of Office of the Board of Education this twenty-eighth day of March 1919, and presented to Parliament pursuant to sub-section 6 of section 44 of the Education Act, 1918.

(L.S.) L. A. SELBY-BIGGE.

DRAFT REGULATIONS FOR SECONDARY SCHOOLS IN ENGLAND, EXCLUDING WALES AND MONMOUTHSHIRE.

EXPLANATORY NOTE.

Apart from the important changes explained in paragraphs 2—9 below, and from a few minor alterations mentioned in paragraphs 10—13, these Regulations are identical with those in force for 1918—19.

1. The Board have repeatedly stated that the primary object of the increased grants provided in 1917 is to enable local education authorities and governing bodies to provide more adequate remuneration for the teaching staff of the schools. Considerable progress has been made with this provision ; and the Board are now making the systematic enquiry of which notice was given in last year's Regulations, with the view of ascertaining the position in all schools on the Grant List.

1. *The Constitution of Governing Bodies.*

2. Important alterations have been made in Articles 23 and 24 by the omission of provisions (*b*) and (*c*) of Article 23,

and by the introduction into Article 24 of an alternative method of compliance with the general principle that the governing bodies of schools in receipt of grants should contain a substantial representative element sufficient to secure the conduct of the schools as constituent parts of the public system of education.

During the last twelve years the organisation of higher education by local education authorities under Part II. of the Act of 1902 has made a great advance. The Act of 1918 has established the principle of the responsibility of local education authorities for all forms of higher education in their areas. In respect of finance the tendency has been in the direction of lessening the importance of endowments and of bringing the provision and maintenance of all local secondary schools within the financial system of the local education authorities, a tendency which the increased demand for accommodation, and the increased cost of maintenance arising out of the reasonable claims of teachers for better remuneration, are bound to emphasise.

3. In these circumstances the Board have no fear that the changes made in Articles 23 and 24 will now cause any embarrassment to local education authorities or diminish their control of the public education in their areas, or that they will make the local schools which take advantage of them less amenable to public opinion, or less accessible to children of all classes and all denominations, than the schools which have applied for and received grants during the last twelve years. On the other hand the Board are confident that the balance of public advantage lies on the side of opening the entrance to the system of State-aided schools to a larger number of efficient secondary schools.

4. The alternative method of constituting the governing body of a school in order that it may be eligible to receive grants, which is embodied in the revised Article 24, viz., the appointment of one-third of the total number of governors by the local education authority under Part II. of the Act of 1902, instead of the appointment of a majority of representative governors by one or more of the miscellaneous constituencies specified in that Article—is consonant with the general plan of the Act of 1918. The

recognition of those constituencies for the appointment of representative governors under the Article, as it has stood since 1907—8, involved the possibility that the governing body should contain no representative at all of the local education authority exercising the powers conferred by Part II. of the Act of 1902. Those constituencies reflect the peculiarities of trust deeds and schemes made before there was any systematic provision for higher education or any clear theory of school organisation. The Article was indeed more appropriate to a period in which endowments were all-important and the special conditions attached to them were dominant, than to a period in which the conception of a public system of education is more fully developed.

5. Alternative (*b*) of Article 24 does not, however, require that the governors appointed by the Part II. authority shall all be directly appointed by them without reference to the claims of minor local authorities or popular constituencies which have a direct local interest in the school, to have this interest adequately secured. It is open to the authority to come to an arrangement with these other bodies under which certain governors may be appointed on their nomination or recommendation ; and the Board consider that an arrangement of this kind may often be advantageously adopted.

6. It will, of course, be understood that compliance with the conditions of grant in no way prejudices the arrangements which the authority may wish to make with a school as conditions of grant out of the rates in aid of its provision or maintenance.

7. It is not contemplated that the Board should undertake the revision of the trust deeds or instruments of government of schools which have already complied, in respect of the constitution of the governing body, with the existing conditions of grants, unless such revision is clearly advantageous to the organisation of higher education in the area.

8. It is expected that schools which at present do not comply fully with the ordinary conditions of grant, that is to say both those schools which are in receipt of grant at the full rate under Article 39 in virtue of a waiver of

one or more of these conditions, and those schools which are in receipt of grant on a lower scale only under Article 41, will within a reasonable period take steps to effect full compliance. The Board are considering the question of fixing a date after which both these Articles will be withdrawn.

9. It will be understood that the changes now made do not contemplate the inclusion in the grant system of schools which cannot reasonably be regarded as local schools forming part of the provision for secondary education in the area in which they are situated. The question of the relation of non-local schools to the public system of education (otherwise than under Section 18 (vii.) of the School Teachers (Superannuation) Act, 1918) is receiving the consideration of the Board; but they are not yet in a position to make any statement upon the subject.

2. *Minor Changes in the Regulations.*

10. Article 2 (*b*) of previous regulations, under which three years of school life might be substituted for four, and the leaving age of 15 for that of 16, in certain schools in rural areas or small towns, has been withdrawn. This special provision was made in the Regulations of 1907, as a temporary concession to the immediate needs of districts in which, as things then stood, no effective demand could be expected for education continued up to the age of 16. It was then expressly stated that the concession of this lower standard of school life and leaving age would only be made where consideration of local circumstances showed that it would be of distinct educational advantage to the district, and that a longer school life was not under actual conditions possible. Only three schools have in fact been recognised under this special provision, and in each of these schools the standard in fact reached as regards both school life and leaving age is as high as that in a large number of schools for which the special relaxation has not been either given or sought. The Board have always in their administration of the ordinary conditions of the Article allowed a large elasticity to the "adequate proportion" required. In view of the fact that entrance to

a secondary school is now normally not later than the age of 12 and that under the provisions of the Education Act, 1918, making education in one form or another compulsory up to the age of 16, pupils will not normally leave their secondary school before that age, there is now neither necessity nor justification for continuing any formal exception to the operation of the general rule.

11. A sentence has been added to Article 47, stating that application for recognition of an advanced course (as distinct from continuance of recognition of a course already recognised) should be made not less than a month before the beginning of the school year. This is the same provision as has been in force for many years (Article 27) as regards the date of application for a school to be placed on the Grant List, and its insertion in Article 47 will be generally convenient.

12. It has been the practice of the Board not to recognise as efficient a secondary school with less than 20 pupils over 12 years of age, on the same educational ground on which such a school is not recognised as eligible for grant; namely, that with a smaller number of pupils it is not possible to have the organisation and class instruction, over an age range of 12 to 17, which are of the essence of a school in the full sense. This practice has now been made a formal rule, and words have been added accordingly in Article 52 (*a*).

13. It is provided by paragraph 6 (*e*) of the Appendix to the Regulations (rules with regard to free places) that where there are more duly qualified candidates than places the award shall be determined by competition among them. The Board have always ruled, and the rule is generally understood by school authorities, that if a free place is thus awarded and not taken up, it has to be offered to the next in order of merit of the competitors who reached the required qualifying standard. For the sake of clearness this rule has now been incorporated in the paragraph.

3. *Advanced Courses.*

14. The chapter of the Regulations dealing with advanced courses continues, without any alteration other than the point of administrative detail mentioned in paragraph 10

above, the provisions of last year's Regulations. It was stated in the Board's explanatory circular of December, 1917 (Circular 1023), and repeated in the explanatory note prefixed to last year's Regulations, that these provisions for further development of advanced work in schools were necessarily, on their first introduction, of a provisional and tentative kind; that they would require to be reviewed, and possibly to be substantially modified, in the result of experience of their working; and that the Board invited and welcomed criticism and suggestion from local education authorities and governing bodies, from head masters and head mistresses, from associations of teachers, or from bodies representing the interests of particular studies. Last year certain modifications were made in the light of experience gained and advice received. A number of further representations have since been received and considered. But the Board have decided that it is desirable to watch the working and development of the present regulations for another year before introducing any fresh modifications. Many of the difficulties at first felt, and the objections urged, have been mitigated or cleared away by discussion and explanation. In the second year of their operation, the Regulations have worked much more smoothly, and the number of advanced courses recognised has almost doubled. During the coming year the Board will continue to observe closely the working of the courses and to consider carefully all further suggestions or criticisms brought before them. Meanwhile, they are issuing a circular (No. 1112) in which the principles on which the Regulations are based, and the manner in which they are interpreted and administered, are fully set forth, explanations are given, difficulties discussed, and guidance or suggestion offered on many practical points. The concurrent issue of this circular renders it unnecessary to go into detail here. The Board hope that it will be widely read by governing bodies, head masters and head mistresses, and that it will be found useful as regards both information, explanation, and suggestion.

15. A number of schools not on the Grant List, but recognised as efficient under Chapter IX. of the Regula-

tions, make organised provision for advanced work of such a kind as would qualify them if they were on the Grant List for recognition of one or more advanced courses. Last year's Regulations included a provision that where the Board are satisfied that this condition is fulfilled, the school will be distinctively noted accordingly on their List of Efficient Schools. In the list recently published, for the year 1917—18, the Board were not able to bring this provision into effect, as sufficient information was not available when the list was being prepared. Any schools claiming to be so noted in the list for 1918—19, which it is hoped to issue in time to be available by the beginning of the year 1919—20, should intimate this claim to the Board.

4. *General.*

16. The pressure caused by the war on the Board's depleted staff, which hitherto had made it impossible, unless in very exceptional circumstances, to inspect any school desirous of obtaining recognition under Chapter IX. of these Regulations, has now been so far relieved that such inspections are being resumed. But the Board have still to warn school authorities that on account of the great increase in the number of applications for inspection resulting from the provisions of the Education Act, 1918, and the School Teachers' Superannuation Act, 1918, they cannot all be dealt with immediately, or without delay, which may in some cases be considerable. The Board are making every effort to deal with applications for inspection as rapidly as possible.

17. It is the Board's policy to discourage, and so far as necessary to forbid, the use of external examinations prematurely or in such a way as to allow preparation for them to interfere with the wider educational interests of the pupils. As regards examinations in isolated subjects such as drawing, music, or needlework, discretion is left to the school authorities; and no restriction is imposed as regards examinations held solely for the award of scholarships or exhibitions or held as required by a statutory scheme. But for presentation of any pupils, whether under or over 15 years of age, for an examination of a general

character (that is, covering the main substance of their curriculum) which is below the standard of a first examination, express permission must be previously obtained from the Board; and the Board will not give this permission without good reason being shown for exceptional treatment. The Board expressly reserve power to reduce or withhold the examination fee grant payable under Article 44* in the case of any individual pupil, in order to guard against any possible abuse of its object, as, for instance, repeated presentation of the same pupil for a first examination, or presentation for a second examination of a pupil who is clearly not yet fit to take it.

18. It is laid down in Article 13 that the number of pupils taught together at one time, that is to say, taught as a single class or by a single teacher, must not as a rule exceed 30, though a larger number of pupils may be taken together for certain purposes such as lessons of the nature of lectures with illustrations, or massed physical exercises, or school singing. Under ordinary conditions a class of over 30, but not in any case exceeding 35, is otherwise only allowed as an exceptional arrangement in order to meet some special or temporary difficulty of classification. But the Board will continue to give every consideration to difficulties due to causes directly arising out of the war, and in particular to the pressure on the accommodation of a large number, or even a majority, of schools due to the impossibility of carrying out necessary enlargements. In such cases they will be prepared to sanction classes up to the limit of 35, or in exceptional cases even beyond that limit, as an emergency measure which circumstances still render unavoidable.

19. In order that local education authorities may be enabled to give pupils who intend to become elementary school teachers a short trial in a public elementary school, either during their year of Bursarship or just before that year, for the purpose of testing their capacity and giving them some insight into the kind of work for which they desire to qualify themselves, absence for this purpose for a period not exceeding a month will not disqualify a pupil for grant under Article 38.

20. A pupil holding a free place when transferred to another school and given a free place there may, with the Board's approval, be counted towards the proportion of free places which the latter school is required to offer. If the transfer takes place at the beginning of the school year, it counts as a free place offered for that year; if in the course of the school year, it counts as a free place offered for the next year. If a candidate, to whom a free place has been awarded in the course of a school year as from the beginning of the next school year anticipates the effect of the award by either (i.) voluntarily entering as a fee-paying pupil, or (ii.) being allowed to enter as a free pupil, during the period between the date of award and the date from which it takes effect, the free place will still count towards the provision required under Article 20 for the latter school year.

21. It is not at present practicable to insure that migration of a pupil who holds a free place to another school or another area shall carry with it the right to continuance of a free place there. A certain number of local education authorities have, however, entered into agreements by which such transfers are mutually accepted and a scholarship carrying a free place, which has been awarded to a pupil by one authority, is continued if the holder is transferred to a school in the area of the other authority. Some authorities have announced that they are prepared to extend this arrangement to any other area, the authority of which will reciprocate it. Having regard to the large amount of migration in occupations and industries, which will, for some time to come, be accentuated by the process of national re-settlement, the Board urge the more general adoption of such arrangements in the schemes framed by authorities under the Education Act, 1918.

22. The increased amount of State aid now given to secondary schools, together with the increasing necessity for public economy, renders it more than ever the duty of the Board to see that their grants are not wasted by being given to schools which definitely fail to reach the standard as regards normal length of school life contemplated by the Regulations, and which, therefore, do not perform the

function for which secondary schools are designed in a system of national education. Continued failure to reach a reasonable standard in this matter of school life may involve withdrawal of the Board's grant.

REGULATIONS FOR SECONDARY SCHOOLS.

Chapter I.

Scope and Organisation.

1. In order to be recognised as a secondary school within the meaning of these Regulations, a school must offer to each of its pupils a progressive course of general education as defined in Chapter II. below (with the requisite organisation, curriculum, teaching staff, and equipment) of a kind and amount suitable for pupils of an age-range at least as wide as from 12 to 17. Provision made for pupils below the age of 12 must be similarly suitable, and in proper relation to the work done in the main portion of the school.

2. A school will not be recognised as a secondary school unless (i.) an adequate proportion of the pupils remain at least four years in the school, and (ii.) an adequate proportion of the pupils remain in the school up to and beyond the age of 16. In determining what is an adequate proportion of pupils for either of these purposes, the Board may (where circumstances justify it) take into account pupils who have left the school and are pursuing their studies in some other secondary school approved for this purpose.

3. Where the same school comprises more than one department, the Board have power to decide whether a department is, or is not, a separate school for the purpose of these Regulations.

4. The school must meet regularly during not less than 36 weeks in the course of the school year, the school hours and the arrangements as to vacations being approved by the Board as satisfactory. Cases of closure under order of a medical or sanitary authority, or for other unavoidable cause, must be notified to the Board, and will be taken into account for the purpose of this Article.

5.—(*a*) No catechism or formulary distinctive of any particular religious denomination may be taught in the school except as provided by this article.

(*b*) If the instrument under which the school is governed requires, or does not prohibit, the giving in the school of religious instruction distinctive of any particular denomination, the governing body may provide such instruction for any pupil upon the written request of the parent or guardian of the pupil. A record must be kept of all such requests.

(*c*) In a school where such instruction is given, regulations must be made by the governing body such as will secure observance of provisions (*a*), (*b*), and (*c*) of this Article to the satisfaction of the Board, and a copy of such regulations must be given to the parent or guardian of every pupil.

(*d*) Such instruction, if given, must be provided from funds other than grants made by the Board of Education or any local authority.

Chapter II.

Curriculum.

6. The curriculum (with time-analysis) of the whole school must be approved by the Board, and must provide for due continuity of instruction in each of the subjects taken, and for an adequate amount of time being given to each of these subjects. The Board may require modifications in the curriculum or the time-table if a subject is taught which is not of educational value, or if the time spent on particular subjects interferes with proper instruction in other subjects, or if the time given to any subject is insufficient to allow of effective progress being made in it, or for other similar reasons.

7. The curriculum must provide instruction in the English language and literature, at least one language other than English, geography, history, mathematics, science, and drawing. A curriculum including two languages other than English, but making no provision for instruction in Latin, will only be approved where the Board are satisfied that the omission of Latin is for the educational advantage

of the school. The instruction in science must include practical work by the pupils.

8. The curriculum must make such provision as the Board, having regard to the circumstances of the school, can accept as adequate for organised games, physical exercises, manual instruction and singing.

9. In schools for girls the curriculum must include provision for practical instruction in domestic subjects, such as needlework, cookery, laundry work, housekeeping, and household hygiene; and an approved course in a combination of these subjects may for girls over 15 years of age be substituted partially or wholly for science and for mathematics other than arithmetic.

10. By special permission of the Board, languages other than English may be omitted from the curriculum, provided that the Board are satisfied that the instruction in English provides special and adequate linguistic and literary training, and that the teaching staff are qualified to give such instruction.

11. Individual pupils or special classes may, with the approval of the Board, follow a curriculum varying from the curriculum approved for the rest of the school.

Chapter III.

Teaching Staff.

12. The teaching staff must be sufficient in number and qualification for providing adequate instruction in each subject of the approved curriculum.

13. The number of pupils taught together at one time must not as a rule exceed 30, and must never exceed 35.

14. The teaching staff may not undertake any other duties which, in the opinion of the governing body or of the Board, would interfere with the efficient discharge of their duties in the school.

15. The salaries of the teaching staff must in no case be subject to variation according to the amount of grant received.

16. Where the Board think fit, they may, on consideration of the teaching staff as a whole, require that a certain pro-

portion of all new appointments shall consist of persons who have gone through a course of training recognised by the Board for the purpose.

Chapter IV.

Admission, Fees, and Records.

17. No pupil may be refused admission to the schoo except on reasonable grounds. Any question or dispute arising under this provision shall, if necessary, be determined by the Board.

18.—(*a*) No pupil shall be required, as a condition of being admitted into or remaining in the school as a day scholar, to attend or abstain from attending any Sunday School, place of religious worship, religious observance or instruction in religious subjects in the school or elsewhere; and the times for religious worship or for any lesson on a religious subject shall be conveniently arranged for the purpose of allowing the withdrawal of any pupil therefrom.

(*b*) This provision shall also apply to boarders as well as day scholars. But in a school governed by a scheme made under the Endowed Schools Acts or the Charitable Trusts Acts this Regulation shall be regarded as met (i.) by compliance with the scheme where it includes the provisions prescribed by section 16 of the Endowed Schools Act, 1869, or (ii.) by compliance with regulations made by the governing body in accordance with the provisions of that section where the scheme does not include those provisions.

19. The school may be with or without fees, but any fees must be approved by the Board as suitable. The tuition fee, if any, must cover all subjects of instruction included in the approved curriculum, and the use of all educational equipment (including stationery) necessary for those subjects, except, if the governing body think fit, printed books and mathematical instruments. It must, except with the special consent of the Board, be on a scale uniformly applicable to all pupils, and not subject to increase at an age beyond 12; but different rates of fee may be approved for pupils residing within and without

a given area, and for two or more pupils who are members of the same family.

20. In all fee-charging schools, free places must be offered at the beginning of each school year to pupils entering from public elementary schools under the conditions laid down in the Appendix to these Regulations. The number to be offered will ordinarily be 25 per cent. of the total number of pupils admitted to the school during the previous year, but this percentage may be reduced or varied by the Board on sufficient grounds in the case of any particular school.

For the first two years of recognition, the number of free places required to be offered will be prescribed by the Board, and will be based on the normal number of annual admissions as nearly as this can be estimated.

21. Records with regard to all pupils admitted must be kept in the registers supplied by the Board, and in accordance with the rules furnished therewith.

Chapter V.

Management.

22. The school must be conducted by a governing body acting under and in accordance with a scheme or minute or body of written regulations which states its constitution and defines its functions both as regards responsibility for general control and as regards immediate responsibility (including that of the head master or head mistress) for the conduct of the school, and which is approved by the Board. A copy of the scheme or minute or body of regulations as approved must be deposited with the Board, and its provisions must not be varied or departed from without the approval of the Board.

23. The instrument under which the school is governed (whether in the form of a trust deed, scheme, charter, Act of Parliament, statutes, regulations, or minutes) must not require any members of the teaching staff to belong, or not to belong, to any particular denomination.

24. The governing body of the school, where it is not a

local education authority or a committee of a local education authority, must contain either (*a*) a majority of representative governors or (*b*) a number of governors (being not less than one-third of the total number of governors) appointed by the local education authority for the purposes of Part II. of the Education Act, 1902, for the area in which the school is situated, or if, in the opinion of the Board, the school serves more than one such area, by the local education authorities for these areas, in such proportions as the Board think proper ; provided that if any authority or constituency abstains from exercising or fails to exercise any power of appointment or election exercisable by it and by reason only of such abstention or failure the governing body does not contain the requisite proportion of representative governors or of governors appointed by the local education authority or authorities for the purposes of Part II. of the Education Act, 1902, as the case may be, the school may nevertheless be regarded as complying with this Regulation.

In this Article—

(i.) " Representative Governor " means (*a*) a member appointed on the governing body by a local authority or by a popular constituency, and (*b*) any person who is a member of the governing body by virtue of his office as a Member of Parliament, mayor, chairman, vice-chairman, or member of any local authority, or as chairman or vice-chairman of a popular constituency.

(ii.) " Local Authority " includes the council of any county, borough, urban or rural district or parish, any committee constituted under section 17 of the Education Act, 1902, and any board of guardians.

(iii.) " Popular Constituency " includes any parish meeting or vestry, and the ratepayers of any parish.

25. A meeting of the governing body, of which sufficient notice will be given, must be held, if required, when the school is inspected, and the accounts and any other papers necessary for inquiry into the control and conduct of the

school must be produced when required by the Board or by an inspector of the Board.

26. The governing body must appoint a person to act as correspondent for the school with the Board.

Chapter VI.

General Conditions of Recognition for Grants.

27. Application to the Board for placing a school on the list of secondary schools recognised for grants, on a form of preliminary statement which will be supplied by the Board, must be made by the governing body or by the local education authority providing the school, and should be made not less than a month before the beginning of the school year.

The school year will begin on 1st August and end on 31st July. In special circumstances a school applying for recognition may be recognised for a shortened initial year from 1st January to 31st July.

28. The Board before granting the application will have regard to the suitability of the education provided by the school in view of the circumstances of the locality, and to the relation of the school to other schools and places of education available for the area; and where the school is not provided by a local education authority, will consult the local education authority. Recognition may be withdrawn at any time by the Board.

29. The school must be efficient; must not compete unduly with a neighbouring school; must be eligible from its character, financial position, and scale of fees, if any, to receive aid from public funds, and must be open at all times to inspection by the Board.

30. The school must not be conducted for private profit or farmed out to the head master or head mistress.

31. The school premises must be sanitary, convenient for teaching purposes, adapted to the circumstances of the school, and provided with adequate equipment and appliances for the curriculum approved in accordance with Chapter II. of these Regulations. The plans of both site

and buildings for new schools, or for enlargement of existing schools, must be submitted to the Board for approval.

32. All returns called for by the Board must be made, and a full account of the income and expenditure of the school, made up to 31st March, must be furnished annually in such form as the Board may require.

33. A school is not placed on the Grant List unless it has at least 20 pupils over 12 years of age.

34. The time-table of every school on the Grant List must be forwarded each year to the inspector on the form supplied for that purpose, at the beginning of the school year, or at such times as the Board may prescribe. Deviations from it should not be made, except in case of special emergency, without previous notice to the inspector. Occasional holidays should be notified to the inspector beforehand. Permanent alterations which it is desired to make in the approved curriculum must be submitted to the Board for approval ; but an approved curriculum need not be re-submitted so long as no substantial alteration in it is desired by the governing body or required by the Board.

35. The Board may at any time require that such portion of the school as they may think fit shall be submitted for examination to an examining body approved by them for that purpose. Pupils may not, without the express previous permission of the Board, be presented for any other external examination of a general character below the stage of an approved first examination except one held solely for the award of scholarships or exhibitions, or held as required by a scheme made under the Endowed Schools Acts or the Charitable Trusts Acts.

A copy, in duplicate, of the report made by any external examining body must be sent to the Board.

Chapter VII.

Grants.

36. In the case of schools placed on the Grant List and complying with these Regulations, grants will be payable

on account of pupils who have been receiving instruction in accordance with an approved curriculum as follows :—

(*a*) £2 on account of each pupil over 10 but not over 11 years of age at the beginning of the school year, who had been for at least two years under instruction in a public elementary school immediately before entering the secondary school. Pupils transferred from a school in which they were eligible for this grant will continue to be eligible for it in the school to which they are transferred.

(*b*) £7 on account of each pupil over 11 but not over 18 years of age at the beginning of the school year.

37. For the purpose of estimating the above grants, the number of registered pupils fulfilling the conditions named on the 1st October, 1st February, and 1st June in each school year will be taken, and one-third of the sum of these numbers will be the number on which grant is payable. In the case of the shortened school year provided for by Article 27, the number on which grant is payable will be one-third of the sum of the numbers on 1st February and 1st June.

38. Any pupils who are reported by the inspector as unfit to attend the classes in which they are being taught, or as having made unsatisfactory attendance (except from absence owing to certified illness or risk of infection), may be disqualified for grant.

39. A school in which compliance with one or more of the conditions set out in Articles 18 (*b*), 23 and 24 has been hitherto waived by the Board will, unless the Board expressly notify to the contrary, have this waiver continued and be regarded as eligible for grant under the foregoing articles.

40. Where the grant payable to a school under the foregoing Articles is less than £350, the Board may, after considering the sum required for its efficient maintenance, and its importance towards a due provision of higher education for the area, make up the grant to £350.

41. A school which has hitherto been in receipt of grant on a lower scale owing to failure to fulfil one or more of the conditions set out in Articles 5, 18 (*b*), 20, 23 and 24

will, unless the Board expressly notify to the contrary, continue to be regarded as eligible for grant, and in such schools the sums of £2 and £4 10s. will be substituted for the sums of £2 and £7 named in Article 36. Schools receiving grant under this Article are not eligible for any further grant under Article 40.

42. An instalment of grant amounting ordinarily to one-half of the grant estimated to be payable for the school year is payable shortly after 1st April on a certificate from the governing body, and from the inspector, that the school is being satisfactorily conducted in accordance with these Regulations.

No instalment of grant is payable in respect of the shortened initial year mentioned in Article 27.

43. Where a school receiving grants under these Regulations organises special or experimental work approved by the Board, and involving special expense, the Board may pay a further grant, of such amount and subject to such conditions as they may think fit, towards meeting the special expense involved.

44. Where arrangements are made by the Board for a teacher on the staff of a school receiving grants under these Regulations to visit another school recognised under Article 51, or under the corresponding Article of the Regulations in force for Wales (including Monmouthshire), for the purpose of studying method and gaining enlarged experience, the Board may pay a sum not exceeding £20, divided in such proportions as they think fit between the schools and teachers concerned, towards meeting the expenses involved.

44.* A grant not exceeding £2 will be made by the Board to a school in receipt of grants under Articles 36 to 41, in respect of each pupil of the school who is entered (*a*) for an approved first examination as one of a form so entered, or (*b*) for an approved second examination. The Board reserve power to withhold or reduce this grant in the case of any particular pupil.

45. Any grant payable to a school which has closed, or has ceased to be conducted in accordance with the conditions for grants under these Regulations, may be with-

held wholly or in part, and in any case the payment made will not exceed the net outstanding liabilities of the school for maintenance at the end of the school year in respect of which the grant is paid.

46. If any school on the Grant List has failed to fulfil any of the conditions of grant in these Regulations, the Board have power either to withhold the grant or, if they think fit, to pay it with or without deductions ; and if any question arises as to the interpretation of these Regulations, or as to the fulfilment of any of the conditions of grant, the decision of the Board shall be final.

Chapter VIII.

Provision for Advanced Courses.

47. A school in receipt of grant under Chapter VII. of these Regulations may be recognised by the Board as providing an organised course of advanced instruction. Any such course must extend over two years, and must be planned to provide instruction for pupils who at its commencement have already reached the stage of general education marked by the standard of an approved first examination. Application for recognition of advanced courses should be made not less than a month before the beginning of the school year.

48.—(*a*) The main subjects of study in any such course must be selected from one or other of the following groups :—

A. Science and Mathematics.

B. Classics, viz., the civilisation of the ancient world as embodied in the languages, literature and history of Greece and Rome.

C. Modern Studies, viz., the languages, literature and history of the countries of Western Europe in modern and mediæval times.

(*b*) Course A should normally include work in both science and mathematics ; but this requirement may be waived for pupils who do substantial work in the biological sciences if the course is otherwise suitable and includes work reaching an adequate standard in the physical sciences.

Course B must provide for all pupils substantial work in the language, literature, and history of both Greece and Rome.

Course C must include the advanced study of one modern foreign Western European language and literature with the relevant history, together with the history of England and Greater Britain. It must also include either the study of a second modern foreign language or work of good scope and standard in English language and literature.

(*c*) In all advanced courses, adequate provision must be made for the study and writing of English by every pupil either in connection with the main subjects of the course or otherwise. In other respects, full freedom is left in the choice and arrangement of additional subjects, so long as the syllabus for an A course provides for some substantial work in language, literature, or history, and that for a B or C course some substantial work in subjects other than language, literature and history.

49. Before recognising any course the Board will require to be satisfied—

(*a*) that the organisation of the school as a whole is satisfactory ;

(*b*) that adequate provision is made for the staff required for the course ;

(*c*) that there will be a reasonable number of qualified pupils taking the course ;

and will also have regard to the provision made for the payment of fees and maintenance allowances in respect of pupils needing such aid in order to follow the course.

50. A grant not exceeding £400 will be made in respect of each course approved under the provisions of this chapter, in addition to any other grants payable under these Regulations. The sum of £400 may be reduced at the discretion of the Board in any school where the Board are of opinion that the full grant is not required for the efficient conduct of the approved course.

This grant will be paid in two equal instalments, the first together with the instalment of grant payable under Article 42, and the second together with the balance of grant payable under Chapter VII. of these Regulations.

Chapter IX.

List of Efficient Schools.

51. The Board have established a list of schools recognised by them as efficient under these Regulations. This list includes, together with all schools on the Grant List, schools not eligible or not applying for grants which the Board determine to be efficient upon inspection either in the exercise of their jurisdiction under the Charitable Trusts Acts or on application by the governing body or persons responsible for the management of the school.

A school making such organised provision for advanced work as would qualify it, if on the Grant List, for recognition of one or more advanced courses under Chapter VIII. of these Regulations will be specially noted accordingly on the Board's List of Efficient Schools.

52. Schools applying for this recognition may be either—

(*a*) Schools fully complying with the definition of a secondary school given in Articles 1 and 2 of these Regulations and having at least 20 pupils over 12 years of age; or

(*b*) Preparatory schools which provide an education of the same kind and quality as that contemplated by Article 1 for pupils of an age-range at least as wide as from 9 to 13, and from which the pupils normally proceed to continue their education at some secondary school or other similar institution. No such school will be regarded as eligible for recognition which has less than 30 pupils.

53. On receiving an application for inspection of a school with a view to its admission to this list, the Board will call for such preliminary information as will enable them to determine whether the school can make out a *primâ facie* case for admission, and, if so, whether under (*a*) or (*b*) of Article 52. When satisfied on these points, the Board will proceed to inspect the school without charge.

54. In order to be placed on the efficient list, the school must satisfy the Board on inspection that it has an adequate staff, provides a suitable curriculum and efficient instruction, and possesses adequate premises and equipment.

The inspection will be an inspection of both premises and instruction. The former will include sanitary arrangements, provision for recreation, and arrangements for the boarding of teachers and pupils. The latter will deal with all the subjects comprised in the curriculum of the school.

55. The report of the inspectors on the efficiency of the school at the time of inspection will be sent to the head master or head mistress of the school, to the persons responsible for its management if other than the head master or head mistress, and to any local education authority which maintains or aids the school. Where a school is not maintained or aided by the local education authority, but in the opinion of the Board forms part of the local provision for education in its area, the Board will furnish the authority with a statistical summary covering the proprietorship or responsible management of the school, the number of the staff and range of salaries, the scale of fees, the number of pupils (boarders and day scholars) with their age-range and leaving age and the areas from which they are drawn, the amount of the class-room and playing-field provision, and the subjects of the curriculum.

56. The report, if published, must be published in its entirety. The copy of the report, or the statistical summary, as the case may be, furnished to the local education authority will be for its information, but not for publication without consent of the body or persons responsible for the conduct of the school.

57. A school placed on the List of Efficient Schools may be removed from the list at any time at the discretion of the Board, and its continuance on the list will depend on the results of such further inspections as the Board may from time to time hold. So long as the school is on the list it must be open at all reasonable times to inspection by the Board, and must make such returns to the Board as the Board may from time to time require.

58. These Regulations, which supersede previous Regulations, come into force as from August 1st, 1919, and may be cited as the Regulations for Secondary Schools, England, 1919.

L. A. SELBY-BIGGE,
Secretary to the Board of Education.

26th May, 1919.

Appendix.

Rules with regard to Free Places.

1. In Article 20 of these Regulations a free place means a place in the school without payment of any tuition or entrance fee for the full term of school life, that is to say, so long as the pupil admitted is not either voluntarily withdrawn from the school or removed from it under rules for removal which apply to fee-paying pupils likewise.

2. The governing body may provide a free place either (*a*) by remission of fee; or (*b*) by admission of a pupil holding a scholarship covering the fee, provided that the governing body undertake to remit the fee in respect of any part of the school life not covered by the scholarship.

Only those scholarship-holders will be reckoned towards the required provision of free places whose scholarships are awarded by the governing body of the school and out of the funds of the school, or by a local authority, or by the governing body of an endowed foundation.

3. Pupils entering from public elementary schools mean boys and girls who have been under instruction for at least two years in a public elementary school immediately before entering the secondary school. Pupils transferred to the school from another secondary school in which they have already held free places under Article 20 may, with the approval of the Board, be counted towards the required proportion, but boys or girls already in the school as fee-paying pupils may not be so counted if their fees are subsequently remitted or if they are subsequently awarded scholarships covering the fee, nor may pupils be so counted who enter the school as pupil-teachers.

4. The free places offered, or a proportion of them, may be subject in the first instance to such restrictions, local or otherwise, as may be approved by the Board, provided that any places not so filled up are then open to all qualified candidates without restriction.

5. Boys or girls applying for admission under Article 20 may be required to pass an entrance test of attainments and proficiency such as can be approved by the Board for the school in question, having due regard to (1) the age of

the applicants, (2) the subjects in which they have been receiving instruction, (3) the standard of attainments and proficiency required for admission of fee-paying pupils.

No charge may be made in respect of any such entrance test.

6. In any examination held as an entrance test of candidates for free places the following rules are to be observed :—

(*a*) The governing body of the school will be responsible for the conduct of the examination; but it is desirable that some person who has had teaching experience in a public elementary school should be associated with the head master or head mistress and staff of the secondary school in conducting it, and that the examiners should receive and consider a report on each candidate from the head master or head mistress of the elementary school from which the candidate comes.

(*b*) Candidates under 10 or above 13 years of age need not be accepted.

(*c*) Candidates between 10 and 13 must only be required to qualify in English and arithmetic, in which subjects they should be required to reach the standard of the class in the secondary school in which the average age is nearest their own, but in order to test the relative merits of the candidates further questions may be set in any of the subjects specified in Article 2 of the Code of Regulations for public elementary schools.

(*d*) Candidates should as a rule be under 12, and the free places offered may be restricted in the first instance to candidates between 10 and 12, provided that any places not so filled up are then open to all qualified candidates between 12 and 13. Candidates over 13, if accepted, may properly be subjected to a severer test in respect of both subjects and standard within the limits of Article 2 of the Code, in order to prove their fitness to take a place in the secondary school corresponding to their age.

(*e*) Where there are more duly qualified candidates than places the award shall be determined by competition among them. If an award is not taken up by any successful candidate it must be offered to candidates, in order of merit, who reached the required qualifying standard but failed to gain an award in the first instance.

(*f*) The examination may be and it is recommended that it should be partly oral. The record of marks and all written papers must be preserved by the governing body for six months after the examination, and must be open to inspection by the Board.

7. The governing body of the school must secure by published notice or otherwise that the offer of free places, and the time and conditions of any examination to be held as an entrance test, shall be known beforehand in all the public elementary schools from which it may reasonably be expected that pupils will desire to enter the school.

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